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Crl.O.P.No. 13335 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.13335 of 2025

K.Kumar

... Petitioner

Vs.

1.The Inspector of Police,
Kottucherry Police Station,
Karaikal.
Crime No.24 of 2016.

2.Syce Sinnappane Vedanayagame Pradeep

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to Charge Sheet No.105/2018 filed in C.C.No.281 of 2022 on the file of the Judicial Magistrate Court-II, Karaikal and quash the same as against the petitioner / A-6.

For Petitioner : Mr.J.Rajmohan

For R1 : Mr.K.S.Mohandass,
Public Prosecutor (Pondicherry)



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.281 of 2022 on the file of the learned Judicial Magistrate Court-II, Karaikal.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioner and the second respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served



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in keeping the proceedings pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceedings in C.C.No.281 of 2022 pending on the file of the learned Judicial Magistrate Court-II, Karaikal.

5. In view of the above, the proceedings in C.C.No.281 of 2022 on the file of the learned Judicial Magistrate Court-II, Karaikal, is hereby quashed as against the petitioner. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, (Rupees Five Thousand only) in total as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

G.K.ILANTHIRAIYAN, J.



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6. Accordingly, the Criminal Original Petition stands allowed.

29.04.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk

To

1. The Judicial Magistrate Court-II, Karaikal

2. The Inspector of Police,
Kottucherry Police Station,
Karaikal

3. The Public Prosecutor,
High Court, Madras.

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