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CrI.O.P.No. 8647 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM:

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

CrI.O.P.No.8647 of 2025 and
CrI.M.P.No.5679 of 2025

1.Saravanan

2.Udhaya @ Bharathi

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
T-16 Nazarethpet Police Station,
Avadi City,
Tiruvallur District.
(Crime No.165 of 2024)

2.Viswanathan

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the case in C.C.No.385 of 2024 on the file of the Judicial Magistrate Court No.I, Poonamalle, Tirvallur District and quash the same.

For Petitioners : M/s.B.Sasikala



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For R1

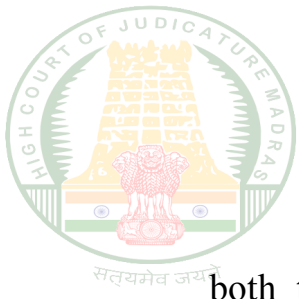
: Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.385 of 2024 on the file of the Judicial Magistrate Court No.I, Poonamalle, Tirvallur District.

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 petitioners and the defacto complainant 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



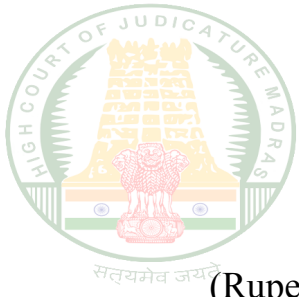
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both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceeding 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 proceeding in C.C.No.385 of 2024 pending trial on the file of the Judicial Magistrate Court No.I, Poonamalle, Tirvallur District.

5. In view of the above, the proceedings in C.C.No.385 of 2024 on the file of the Judicial Magistrate Court No.I, Poonamalle, Tirvallur District, is hereby quashed as against the petitioners alone. The Trial Court is directed to proceed with the trial as against the other accused persons. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.2,500/-,



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(Rupees Two Thousand and Five Hundred only) each 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.

6. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

21.03.2025

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



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To

1. Judicial Magistrate Court No.I, Poonamalle, Tirvallur District
2. The Inspector of Police,
T-16 Nazarethpet Police Station,
Avadi City,
Tiruvallur District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

shk

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