



CrI.O.P.No.11385 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.11385 of 2025

1.Hari Anandan
2.R.N.Perumal

...Petitioners

-Vs-

1. The State represented by
The Inspector Of Police
Yelagiri Police Station
Crime NO.2 of 2020
Tirupattur District.

2.V.Janakgiraman

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to call for the entire records and quash
the proceedings against the petitioner in SC.No.114 of 2024 on the file of
the learned Principal District and Sessions Judge, Tirupattur.

For Petitioner(s): R.John Sathyan Senior Advocate
for P.DIVAKAR

For Respondent(s): A.Gopinath for R1
Government Advocate(Crl. Side)
Mr.K.Balaji for R2



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ORDER

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This Criminal Original Petition has been filed to quash the S.C.No.114 of 2024 on the file of the Principal District and Sessions Judge, Tirupattur thereby taken cognizance for the offences under Sections 304(2) of IPC, 9(c) of the Tamil Nadu Places of Public Resort Act, 26(1) and 27(1) Tamil Nadu Urban Local Bodies (Regulation and Monitoring of Swimming Pools) Rules 2015 (Tamil Nadu Swimming Pool Rules 2015).

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 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 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 S.C.No.114 of 2024 on the file of the Principal District and Sessions Judge, Tirupattur.

5. In view of the above, the proceedings in S.C.No.114 of 2024 on the file of the Principal District and Sessions Judge, Tirupattur 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.20,000/-, (Rupees Twenty Thousand only) as costs, to the Chief Justice Relief Fund, Tamil Nadu, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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WEB COPY 6. Accordingly, the Criminal Original Petition stands allowed.

17.04.2025

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
nr

To

1. The Principal District and Sessions Judge, Tirupattur

2. The Inspector Of Police
Yelagiri Police Station
Tirupattur District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J.

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