



Crl.O.P.No.12469 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

CORAM:

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

Crl.O.P.No.12469 of 2025

1. Danush
2. VMR Vishal ... Petitioners
Vs.

1. The State Rep by
The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai – 600 024.
Crime No.234 of 2024.

2. R.Kumaresan ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to C.C.No.49 of 2025 on the file of the XVII Metropolitan Magistrate Court in Saidapet, Chennai and quash the same on compromise.

For Petitioners : Mr.I.Calvin Jones
For Respondents
For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)



Crl.O.P.No.12469 of 2025

ORDER

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This Criminal Original Petition has been filed to quash the C.C.No.49 of 2025 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, thereby taken cognizance for the offences under Sections 126(2), 296(b), 118(1), 351(3) of BNS.

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

3. A Joint Compromise Memo 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 and it is 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 in keeping the proceeding pending, even though, the offences involved



Crl.O.P.No.12469 of 2025

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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 528 of BNSS, 2023, quashes the proceeding in C.C.No.49 of 2025 pending trial on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

5. In view of the above, the proceedings in C.C.No.49 of 2025 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, is hereby quashed. The terms of Joint Compromise Memo shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.5,000/-, (Rupees Five Thousand only) jointly as costs, to the Chief Justice Relief Fund, Madras High Court, Tamil Nadu, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Accordingly, the Criminal Original Petition stands allowed.

28.04.2025

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



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Crl.O.P.No.12469 of 2025

G.K.ILANTHIRAIYAN, J.

rts

To

1. The XVII Metropolitan Magistrate,
Saidapet, Chennai
2. The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai – 600 024.
3. The Public Prosecutor,
Madras High Court,
Chennai.

Crl.O.P.No.12469 of 2025

28.04.2025