



Crl.O.P.No.9982 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

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CORAM:

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

Crl.O.P.No.9982 of 2025

1. Arul
2. Natarajan

... Petitioners

Vs.

1. State Rep. By Its,
The Sub Inspector of Police,
Port Police Station,
Cuddalore.

2. Jothiboss

... 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 proceedings of the charge sheet in C.C.No.459 of 2024 on the file of the Judicial Magistrate Court No.II, Cuddalore quash the same.

For Petitioners	: Mr.K.A.Prabaharan
For R1	: Mr.A.Gopinath Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the proceeding in C.C.No.459 of 2024 on the file of the Judicial Magistrate Court No.II, Cuddalore.



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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 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 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.459 of 2024 on the file of the Judicial Magistrate Court No.II, Cuddalore.



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WEB COPY 5. In view of the above, the proceedings in C.C.No.459 of 2024 on the file of the Judicial Magistrate Court No.II, Cuddalore, is hereby quashed as against the petitioners. The terms of Joint Memo of Compromise dated 15.03.2025 shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.5,000/-, (Rupees Five 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.

6. Accordingly, the Criminal Original Petition stands allowed.

02.04.2025
(2/2)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
mn



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G.K.ILANTHIRAIYAN, J.

mn

To

1. The Judicial Magistrate Court No.II, Cuddalore.
2. The Sub Inspector of Police,
Port Police Station,
Cuddalore.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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