



Crl.O.P.No.9467 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9467 of 2025

and

Crl.M.P.No.6258 of 2025

1. Barathi Mohan

2. Sampath Kumar

... Petitioners

Vs

1. The State Rep by
Sub-Inspector of Police,
Puduchatram Police Station,
Cuddalore District.

2. Rajkumar

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.N.S., to call for the records and quash the proceedings in CrimeNo.33/2025 pending on the file of the 1st respondent police for offences under Sections 296(b), 115(2), 351(3) of BNSS pending disposal in Criminal Original Petition.

For Petitioners : Mr.Vengadesh Durai Raja V.K.

For Respondents : Mr.A.Gopinath



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Government Advocate (Crl.Side) (for R1)
ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.33 of 2025 on the file of the first respondent, registered for the offences under Sections 296(b), 115(2) and 351(3) of BNS.

2. Pending the proceedings in Crime No.33 of 2025, 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. 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



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keeping the First Information Report 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 528 of BNSS, 2023, quashes the FIR in Crime No.33 of 2025 pending trial on the file of the first respondent.

5. In view of the above, the FIR in Crime No.33 of 2025 on the file of the first respondent is hereby quashed. The terms of the Joint Memo of Compromise shall form part and parcel of this Order. The Petitioners have paid a sum of Rs. 5,000/- (Rupees Five Thousand only) as costs to the Chief Justice Relief Fund, Tamil Nadu and filed a receipt along with a memo.

6. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petition is closed.

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Index:Yes/No
Neutral Citation/Yes/No

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1. The Sub-Inspector of Police,
Puduchatram Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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