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CrI.O.P.No.9941 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.9941 of 2025

1. Parthiban

2. Vijai

... Petitioners

Vs

1. State Rep. by

The Inspector of Police,
H-8, Tiruvottiyur Police Station,
Chennai.
(C.C.No.94/2025)

2. Rajendran

... Respondents

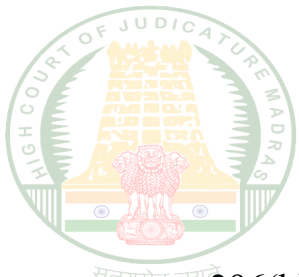
Criminal Original Petition is filed under Section 528 of B.N.S.S.,
to call for the records in C.C.No.227 of 2022 in Crime No.548 of 2022 in
pending trial on the file of the Judicial Magistrate at Thiruvottiyur, Chennai
and quash the same.

For Petitioners : Mr.P.Praveen Kumar

For Respondents : Mr.R.Vinothraja,
Government Advocate (CrI.Side) (for R1)

O R D E R

This Criminal Original Petition has been filed to quash the
C.C.No.227 of 2022 on the file of the Judicial Magistrate at Thiruvottiyur,
Chennai, thereby taken cognizance for the offences under Sections 126(2),



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296(b), 118(1), 351(3) of B.N.S.

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2. Pending the proceedings in C.C.No.227 of 2022, 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 parties, they have also produced the copies of the Aadhaar Card, which 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 @**



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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.227 of 2022 pending trial on the file of the Judicial Magistrate at Thiruvottiur, Chennai.

5. In view of the above, the proceedings in C.C.No.227 of 2022 on the file of the Judicial Magistrate at Thiruvottiur, Chennai, 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. 10,000/- (Rupees Ten 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.

03.04.2025

Index:Yes/No
Neutral Citation/Yes/No
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To

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1. The Inspector of Police,
H-8, Tiruvottiyur Police Station,
Chennai.
2. The Judicial Magistrate at Thiruvottiyur,
Chennai
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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