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Crl.O.P.No.10209 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10209 of 2025

and

Crl.M.P.No.6782 of 2025

1. Sundararasan

2. Bhagathsingh

... Petitioners

Vs

1. State Rep. by
The Inspector of Police,
Saidapet Police Station,
Chennai.
(C.C.No.94/2025)

2. Santhosh

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the connected records made in C.C.No.94/2025 on the file of IX Metropolitan Magistrate, Saidapet, Chennai and quash the same as illegal to secure ends of justice.

For Petitioners : Mr.A.Ramesh

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



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ORDER

This Criminal Original Petition has been filed to quash the C.C.No.94 of 2025 on the file of the IX Metropolitan Magistrate, Saidapet, Chennai, thereby taken cognizance for the offences under Sections 126(2), 296(b), 118(1), 351(3) of B.N.S.

2. Pending the proceedings in C.C.No.94 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. 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.



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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 Gujrath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.94 of 2025 pending trial on the file of the IX Metropolitan Magistrate, Saidapet, Chennai.

5. In view of the above, the proceedings in C.C.No.94 of 2025 on the file of the IX Metropolitan Magistrate, Saidapet, 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. 5,000/- (Rupees Five Thousand only) as costs to the Chief Justice Relief Fund, Tamil Nadu and filed a receipt along with a memo.



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6. Accordingly, the Criminal Original Petition stands allowed.

Consequently, the connected Miscellaneous Petition is closed.

03.04.2025

Index: Yes/No

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
Saidapet Police Station,
Chennai.
2. The IX Metropolitan Magistrate,
Saidapet,
Chennai.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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