



Crl.OP.No.9829 of 2025

Crl.OP.No.9829 of 2025 and
Crl.MP.No.6490 of 2025

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G.K.ILANTHIRAIYAN, J.

At the instance of the learned counsel appearing for the petitioners, today this matter has been posted under the caption “for being mentioned”.

2. Heard, the learned counsel appearing for the petitioners.

3. On hearing the submissions of the learned counsel appearing for the petitioners, it is ordered that the fifth paragraph of the order passed in Crl.OP.No.9829 of 2025 dated 01.04.2025 shall read as follows:

“5. In view of the above, the proceedings in [C.C.No.356](#) of 2023 on the file of the learned Judicial Magistrate No.II, Alandur, Chennai, is hereby quashed as against the petitioners. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner 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. ”



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4. Accordingly, the Registry is directed to issue a fresh order copy in

CrI.OP.No.9829 of 2025 dated 01.04.2025 after making necessary corrections.

06.08.2025

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G.K.ILANTHIRAIYAN, J.

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06.08.2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2025

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CORAM

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

CRL OP NO. 9829 of 2025
and Crl.MP.No.6490 of 2025

1.Nirmal Gemini Kannan @
Nimmel Gemini Kannan
2.Harikrishnan
3.Raja @ Stephen
4.Keerthika

...Petitioners

Vs

1.The State Rep By its,
The Inspector Of Police,
Thuraipakkam Police Station, Chennai.
Crime No.558 of 2021.

2. M.Kumar

Respondents

Prayer: Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the charge sheet in C.C.No.356 of 2023 pending on the file of the learned Judicial Magistrate No.II, Alandur, Chennai and quash the same.

For Petitioners : Mr.S.Thiyagarajan

For R1 : Mr.A.Gopinath
Government Advocate (Crl. Side)
For R2 : Mr.A.J.Magendiraverman



CrI.OP.No.9829 of 2025

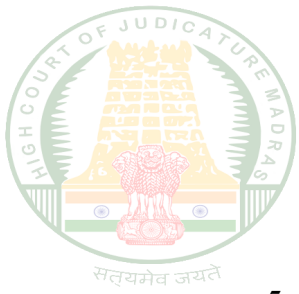
ORDER

This Criminal Original Petition has been filed to quash the C.C.No.356 of 2023 pending on the file of the learned Judicial Magistrate No.II, Alandur, Chennai, thereby taken cognizance for the offences under Sections 342, 363, 387, 394 of IPC.

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 petitioners and the defacto complainant and also by their respective counsels. 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 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 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.356 of 2023 pending trial on the file of the learned Judicial Magistrate No.II, Alandur, Chennai.



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5. In view of the above, the proceedings in C.C.No. 356 of 2023 on the file of the learned Judicial Magistrate No.II, Alandur, Chennai, is hereby quashed as against the petitioners. The Trial Court is directed to proceed with the trial as against the petitioners. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner 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. Consequently, connected miscellaneous petition is closed.

01.04.2025

Index : Yes/No
Speaking/non-speaking order
drl

To

1. The Judicial Magistrate No.II,
Alandur, Chennai.

2. The Inspector Of Police,
Thuraipakkam Police Station, Chennai.

3. The Public Prosecutor,
Madras High Court,
Chennai.

G.K.ILANTHIRAIYAN, J.



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CrI.O.P.No. 9829 of 2025

01.04.2025