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Crl.O.P.No.10912 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM:

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

Crl.O.P.No.10912 of 2025

1. Durairaj
2. Navin

... Petitioners

Vs.

1. The State Rep by its.,
The Inspector of Police,
Maraimalai Nagar Police Station,
Tambaram.
Crime No.509 of 2024.

2. Kumar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records related to the case in Crime No.509 of 2024 on the file of the first respondent police and quash the same as against the petitioners/accused.

For Petitioners : Mr.S.Kasirajan

For Respondents

For R1 : Mr.A.Gopinath

Government Advocate (Crl.Side)



Crl.O.P.No.10912 of 2025

ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.509 of 2024 on the file of the first respondent, registered for the offences punishable under Sections 126(2), 296(b), 324(4), 309(4), 311, 109(1), 351(3) of BNS.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. An affidavit has been filed by the defacto complainant stating that he has no objection to quash the FIR against the petitioners. 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 First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the



Crl.O.P.No.10912 of 2025

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.509 of 2024 pending investigation on the file of the first respondent.

5. In view of the above, the FIR in Crime No.509 of 2024 on the file of the first respondent, is hereby quashed. The affidavit filed by the defacto complainant shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.5,000/-, (Rupees five Thousand only) jointly as costs, to the Chief Justice Relief Fund, Madras High Court, 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.

15.04.2025

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



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Crl.O.P.No.10912 of 2025

G.K.ILANTHIRAIYAN, J.

rts

To

1.The Inspector of Police,
Maraimalai Nagar Police Station,
Tambaram.

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

Crl.O.P.No.10912 of 2025

15.04.2025