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Crl.O.P.No.10903 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.10903 of 2025

1. G.Kumaravel
2. V.Thiyagarajan
3. C.Ramkumar

... Petitioners

Vs

1. State Rep. by
Inspector of Police,
Kavarapettai Police Station,
Thiruvallur District.
(Crime No.413 of 2024)

2. Srinivasan

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C./528 of B.N.N.S., to call for the records and quash the charge sheet in P.R.C.No.25 of 2024 pending on the file of the District Munsif-cum-Judicial Magistrate Court at Gummidipoondi.

For Petitioners : Mr.M.Velumurugan
for Mr.S.Shankar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side) (for R1)



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.25 of 2024 on the file of the District Munsif-cum-Judicial Magistrate Court, Gummidipoondi, registered for the offences under Sections 294(b), 323, 324, 379, 307, 506(ii), 120(b), 147, 148, 326 & 149 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 the learned counsel for the petitioners. 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.



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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 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 proceedings in P.R.C.No.25 of 2024 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Gummidipoondi,

5. In view of the above, the proceeding in P.R.C.No.25 of 2024 on the file of the District Munsif-cum-Judicial Magistrate Court, Gummidipoondi, is hereby quashed as against the petitioners alone. The Trial Court is directed to proceed with the proceedings as against the other accused persons. The terms of the Joint Memo of Compromise shall form part and parcel of this Order. The petitioners have paid a sum of Rs. 15,000/- (Rupees Fifteen 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.

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Index: Yes/No

Neutral Citation/Yes/No

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To

1. The Inspector of Police,
Kavarapettai Police Station,
Thiruvallur District.
2. The District Munsif-cum-Judicial Magistrate Court,
Gummidipoondi.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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