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Crl.O.P.No. 12197 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM:

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

Crl.O.P.No.12197 of 2025

and

Crl.M.P.No.8143 of 2025

- 1.Abubakkar
- 2.Salam
- 3.Jani Basha
- 4.Jakeer @ Jakeer Husain
- 5.Afrith
- 6.Maajeeth

..... Petitioners

Vs

State rep by
The Inspector of police
Vadaponparappi Police Station,
Kallakurichi District.

- 2.Nabikhan

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Crime No.28 of 2024 on the file of the 1st respondent and quash the same

For Petitioners : Mr.S.Sarath Chandran

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



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ORDER

This Criminal Original Petition has been filed seeking to quash the FIR registered in Crime No.28 of 2024 on the file of the first respondent, for the offences under Sections 147, 148, 294(b), 323, 324 & 506(ii) of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992.

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 their respective counsel. All the parties are present and identified by the 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



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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 BNS, 2023, quashes the FIR in Crime No.28 of 2024 pending on the file of the first respondent.

5. In view of the above, the FIR in Crime No.28 of 2024 on the file of the first respondent, is hereby quashed. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.10,000/-, (Rupees Ten 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, the connected Criminal Miscellaneous Petition is closed.

24.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1.The Inspector of police
Vadaponparappi Police Station,
Kallakurichi District.

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

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24.04.2025