



Crl.O.P.No.12705 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM:

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

Crl.O.P.No.12705 of 2025

1.Senthil Kumar

2.Murugan

..... Petitioners

Vs

1.The State Rep by
The Inspector of Police,
Hosur Town Police Station,
Krishnagiri.
Crime No. 23 of 2013.

2. Varalakshmi

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings in P.R.C.No. 02 of 2014 on the file of the Learned Judicial Magistrate-II, Hosur, Krishnagiri in Crime No. 23 of 2013 on the file of the 1st respondent for offences under Section 323 of Indian Penal Code, 3(I)(X)(XI) SC/ST Act, 1989.

For Petitioners : Mr.K.Selvaraj

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



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ORDER

WEB COPY This Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.02 of 2014 pending on the file of the Judicial Magistrate No.II, Hosur, Krishnagiri, thereby taken cognizance for the offences under Sections 323 of Indian Penal Code and Section 3(I)(X)(XI) of SC/ST Act, 1989.

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, the second respondent and their respective counsel. All the parties are present and identified by 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 proceeding pending, even though, the offences involved



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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 P.R.C.No.02 of 2014, pending trial on the file of the Judicial Magistrate-II, Hosur, Krishnagiri.

5. In view of the above, the proceedings in P.R.C.No.02 of 2014 pending on the file of the Judicial Magistrate-II, Hosur, Krishnagiri, 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.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, this Criminal Original Petition stands allowed.

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Index : Yes/No
Neutral citation : Yes/No
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To

1.The Judicial Magistrate-II, Hosur,
Krishnagiri.

2. The Inspector of Police,
Hosur Town Police Station,
Krishnagiri.

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

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