



Crl.O.P.No.12369 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.12369 of 2025

and

Crl.M.P.No.8199 of 2025

1.Siva @ Sivachandran

2.Sakthivel

..... Petitioners

Vs

1.The State

Rep by its Inspector of Police,
Thirukkazhukundram Police Station,
Kancheepuram District.
Crime No. 40/2015.

2. Neelakandan

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in connection with charge sheet in C.C.No.104 of 2015 on the file of the Learned District Munsif cum Judicial Magistrate at Thirukkazhukundram and quash the same

For Petitioners : Mr.D.Vinoth Raj

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 C.C.No.104 of 2015 pending on the file of the District Munsif cum Judicial Magistrate at Thirukkazhukundram, thereby taken cognizance for the offences under Sections 294(b), 324, 341 & 506(ii) 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 second respondent. 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 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



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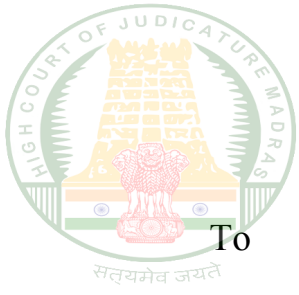
exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.104 of 2015, pending trial on the file of the District Munsif cum Judicial Magistrate, Thirukkazhukundram.

5. In view of the above, the proceedings in C.C.No.104 of 2015 pending on the file of the District Munsif cum Judicial Magistrate, Thirukkazhukundram, 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. Consequently, connected miscellaneous petition is closed.

25.04.2025

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

WEB COPY

1. The District Munsif cum Judicial Magistrate,
Thirukkazhukundram

2. The Inspector of Police,
Thirukkazhukundram Police Station,
Kancheepuram District.

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



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G.K.ILANTHIRAIYAN, J.

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