



Crl.O.P.No.11966 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM:

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

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1. Muruganandham
2. Sarath Kumar
3. Sakthivel
4. Vinayagar

... Petitioners

Vs.

1. The State Rep by
The Inspector of Police,
Virudhachalam Police Station,
Virudhachalam,
Cuddalore District.
Crime No.460 of 2024.

2. R.Sugundhan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records of the impugned charge sheet in S.C.No.42 of 2020 on the file of the learned III Additional and District Sessions Judge, Virudhachalam and quash the same.

For Petitioner : Mr. A.Suresh Sakthi Murugan

For Respondents

For R1 : Mr.R.Vinothraja
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to quash the S.C.No.42 of 2020 on the file of the learned III Additional and District Sessions Judge, Virudhachalam, thereby taken cognizance for the offences under Sections 147, 448, 294(b), 353, 506(1) of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act.

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

3. A Joint Compromise Memo has been filed before this Court, which has been signed by the petitioners and the defacto complainant and also by their respective counsel. 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 and it is 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.



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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 exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in S.C.No.42 of 2020 pending trial on the file of the learned III Additional and District Sessions Judge, Virudhachalam.

5. In view of the above, the proceedings in S.C.No.42 of 2020 on the file of the learned III Additional and District Sessions Judge, Virudhachalam, is hereby quashed. The terms of Joint Compromise Memo 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.



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WEB COPY 6. Accordingly, the Criminal Original Petition stands allowed.

25.04.2025
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



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To
WEB COPY

1.The III Additional and District Sessions Judge,
Virudhachalam.

2.The Inspector of Police,
Virudhachalam Police Station,
Virudhachalam,
Cuddalore District.

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



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G.K.ILANTHIRAIYAN, J.

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