



Crl. O.P. No. 12244 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 22.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 12244 of 2025

Kumar

... Petitioner

Vs

1.State Rep. by
The Sub Inspector of Police
Gudiyatham Town Police Station
Vellore District.

2.Mahaboop Basha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 in Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pending on the file of the 1st Respondent police in Crime No.800 of 2024 and quash the criminal proceedings.

For Petitioner : Mr.A.Suresh Sakthi Murugan

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



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ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.800 of 2024 on the file of the first respondent, registered for the offences under Sections 5, 7(3) of Lotteries Regulation Act, 1998 and Section 318(4) of BNS 2023.

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 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 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 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 FIR in Crime No.800 of 2024 pending investigation on the file of the first respondent.

5. In view of the above, the FIR in Crime No.800 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 to the Registry.

6. Accordingly, the Criminal Original Petition stands allowed.

22.04.2025

Index:Yes/No

Neutral Citation :Yes/No

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G.K.ILANTHIRAIYAN. J,

AT

To

1.The Sub Inspector of Police
Gudiyatham Town Police Station
Vellore District.
(Crime No.800 of 2024)

2.The Public Prosecutor,
High Court, Madras.

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22.04.2025