



Crl.O.P.No.13411 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM:

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

Crl.O.P.No.13411 of 2025

1.Gopal

2.Balamurugan

... Petitioners

Vs.

1.State Rep by

The Inspector of Police,
Tharamangalam Police Station,
Salem City, Salem

(crime No.437 of 2017)

2.V.Azhagesan @ Alagesan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the proceedings in crime No.437 of 2017 dated 15.09.2017 on the file of the Inspector of Police, Tharamangalam Police Station, Salem District i.e. the first respondent herein and quash the same in respect of the petitioner.

For Petitioners : Mr.N.Vijaya Basker

For Respondents

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



Crl.O.P.No.13411 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the FIR in crime No.437 of 2017 on the file of the first respondent, registered for the offences under Sections 147, 148, 294(b), 324, 323 and 506(2) of IPC.

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. 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 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.



Crl.O.P.No.13411 of 2025

4. Under such circumstances, no useful purpose will be served

WEB COPY

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.437 of 2017 pending investigation on the file of the first respondent.

5. In view of the above, the FIR in Crime No.437 of 2017 on the file of the first respondent, is hereby quashed. The terms of the aforesaid Joint Compromise Memo shall form part and parcel of this Order. The petitioners shall jointly pay a sum of Rs.5,000/-, (Rupees Five Thousand only) 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.



Crl.O.P.No.13411 of 2025

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

29.04.2025

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



Crl.O.P.No.13411 of 2025

WEB COPY

1.The Inspector of Police,
Tharamangalam Police Station,
Salem City, Salem

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



WEB COPY



Crl.O.P.No.13411 of 2025

G.K.ILANTHIRAIYAN, J.

lok

Crl.O.P.No.13411 of 2025

29.04.2025