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Crl.O.P.No. 13158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2025

CORAM:

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

Crl.O.P.No.13158 of 2025

1.Alavudeen
2.Mohammad Abbas

... Petitioners

Vs.

1.State represented by
Inspector of Police,
Erode Town Police Station,
Erode District.
(Crime No.134 of 2023)

2.Sangareswari

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to S.C.No.31 of 2025 on the Principal District and Sessions Court, Erode and quash the same against the petitioners by allowing this criminal original petition.

For Petitioners : Mr.M.Rajkumar

For R1 : Mr.A.Gopinath,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in S.C.No.31 of 2025 on the Principal District and Sessions Court, Erode.

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 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 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.



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4. Under such circumstances, no useful purpose will be served in keeping the proceedings 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 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceedings in S.C.No.31 of 2025 pending trial on the Principal District and Sessions Court, Erode.

5. In view of the above, the proceedings in S.C.No.31 of 2025 on the Principal District and Sessions Court, Erode, is hereby quashed as against the petitioners. 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) in total as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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G.K.ILANTHIRAIYAN, J.

shk

6. Accordingly, the Criminal Original Petition stands allowed.

28.04.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk

To

1. The Principal District and Sessions Court, Erode.

2. Inspector of Police,
Erode Town Police Station,
Erode District.

3. The Public Prosecutor,
High Court, Madras.

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