



Crl.O.P.No.13993 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM:

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

Crl.O.P.No.13993 of 2025

1.Sheik Mohammed
2.A.Charles

... Petitioners

Vs.

1.The Inspector of Police,
Koyambedu Police Station,
Koyambedu,
Chennai
(crime No.203 of 2019)
2.S.Dhanasekaran

... 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 case in Crime No.203 of 2019 pending investigation on the file of the first respondent and quash the same.

For Petitioner : Mr.K.G.Senthilkumar

For Respondents

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



Crl.O.P.No.13993 of 2025

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ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.203 of 2019 pending investigation on the file of the first respondent, registered for the offences under Sections 147, 148, 447 & 506(1) of IPC and Section 3(1) of TN Public Property(Prvnt.of Damage & Loss) Act, 1992.

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 / 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 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.13993 of 2025

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

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in keeping the aforesaid 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.203 of 2019 pending investigation on the file of the first respondent.

5. In view of the above, the FIR in Crime No.203 of 2019 pending investigation on the file of the first respondent, is hereby quashed in respect of the petitioners. The terms of the aforesaid Joint Memo of Compromise 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.13993 of 2025

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

30.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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Crl.O.P.No.13993 of 2025

WEB COPY

1.The Inspector of Police,
Koyambedu Police Station,
Koyambedu,
Chennai

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



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Crl.O.P.No.13993 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.13993 of 2025

30.04.2025