



Crl.O.P.No.13886 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.13886 of 2025
and Crl.M.P.No.9281 of 2025

1.J.Shajahan
2.K.Kandhasamy
3.Rabbul Hossain

... Petitioners

Vs.

1.State Rep by Inspector of Police,
D-6, Avadi Police Station,
Avadi,
Chennai 600 054
2.Khosbur Ali

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C./528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to S.C.No.211 of 2024 on the file of the learned Additional District and Sessions Court-III, Poonamallee and quash the same against the petitioner.

For Petitioners : Mr.R.Ragavendran

For Respondents

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



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ORDER

This Criminal Original Petition has been filed to quash the S.C.No.211 of 2024 on the file of the learned Additional District and Sessions Court-III, Poonamallee, thereby taken cognizance for the offences under Sections 304(2) of IPC and Sections 3 & 14 of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

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 complainant / the second respondent. 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

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in keeping the impugned 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.211 of 2024 pending trial on the file of the learned Additional District and Sessions Court-III, Poonamallee.

5. In view of the above, the proceedings in S.C.No.211 of 2024 pending trial on the file of the learned Additional District and Sessions Court-III, Poonamallee, is hereby quashed as against the petitioners. 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.10,000/-, (Rupees Ten 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.



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6. Accordingly, the Criminal Original Petition stands allowed.

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Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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1.The learned Additional District and Sessions Court-III, Poonamallee

2.Inspector of Police,
D-6, Avadi Police Station,
Avadi,
Chennai 600 054

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



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G.K.ILANTHIRAIYAN, J.

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