



Crl.O.P.No.17213 of 2025 and
Crl.M.P.No.10806 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.17213 of 2025 and
Crl.M.P.Nos.10806 and 10807 of 2025

S.Kalyanasundaram

...Petitioner

Vs.

M.Abubakkar

...Respondent

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the entire records in S.T.C.No.355 of 2017 pending on the file of the Court of Judicial Magistrate, Ambattur, and quash the same.

For Petitioner : Mr.E.Kannadasan

ORDER

This petition is filed seeking to quash the case in S.T.C.No.355 of 2017 pending before the learned Judicial Magistrate, Ambattur.



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2 It is the contention of the learned counsel for the petitioner that the petitioner/accused and the respondent/complainant had already entered into compromise, but, suppressing the compromise arrived at, the respondent has filed the present complaint, which is liable to be quashed.

3 It is seen that even though as contended by the learned counsel for the petitioner that the petitioner entered into compromise with the respondent/complainant, but, admittedly, the present cheque number has not been mentioned in the said compromise. The grounds taken by the petitioner to quash the case against him, is nothing but a defence and the same can be established before the trial Court. Therefore this Court is not inclined to exercise power under Section 528 BNSS to quash the present case in S.T.C.No.355 of 2017.



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Accordingly this Criminal Original Petition stands dismissed. However, the petitioners is at liberty to take all his defence during trial. Consequently connected miscellaneous petitions stand closed.

16.06.2025

cgi
Speaking /Non-speaking order

To

The Judicial Magistrate, Ambattur.



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P.VELMURUGAN, J.

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