



Crl.O.P.No.4693 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM:

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

Crl.O.P.No.4693 of 2025
and Crl.M.P.No.3019 of 2025

P. Raja

... Petitioner

Vs.

1. The State Rep by
The Inspector of Police,
Arumbavur Police Station,
Perambalur District.
(Crime No.190/2012)

2. N. Rangasamy

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records of S.C.No.34 of 2024 on the file of the Principal District and Sessions Court, Perambalur District and quash the same in pursuant of compromise between the petitioner and the second respondent on 05.07.2024.

For Petitioner : Mr.P.Saravanan

For Respondent : Mr.K.M.D.Muhilan
No. R1 Government Advocate (Crl.Side)



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ORDER

WEB COPY This Criminal Original Petition has been filed to to call for the records of S.C.No.34 of 2024 on the file of the Principal District and Sessions Court, Perambalur District and quash the same in pursuant of compromise between the petitioner and the second respondent on 05.07.2024.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Compromise Affidavit has been filed before this Court, which has been signed by the petitioner and the defacto complainant and also by their respective counsel. The parties are present and identified by their respective counsel and the Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceeding pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by



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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.34 of 2024 pending trial on the file of the Principal District and Sessions Court, Perambalur District.

5. In view of the above, the proceedings in S.C.No.34 of 2024 on the file of the Principal District and Sessions Court, Perambalur District, is hereby quashed as against the petitioner alone. The Trial Court is directed to proceed with the trial as against the other accused persons. The terms of Compromise Affidavit shall form part and parcel of this Order.

6. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

20.02.2025

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WEB COPY



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G.K.ILANTHIRAIYAN, J.

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To

1. The Principal District and Sessions Court,
Perambalur District
2. The Inspector of Police,
Arumbavur Police Station,
Perambalur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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