



Crl.O.P.No.20959 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.02.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.20959 of 2024

S.Ravikumar

.. Petitioner

Vs.

Manimalar Investments,
Managing Partner,
Ka.Subbarayan,
S/o. Kaligounder,
No.40B, D1, Alagu Nagar,
Senthamangalam Road, Namakkal Town,
Namakkal District.

.. Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS, praying to permit the petitioner and the respondent to compound the offence in Crl.R.C.No.916 of 2020 concerned in C.A.No.87 of 2019 the Principal District & Sessions Court, Namakkal, dated 14.09.2020 confirming the judgment passed in C.C.No.304 of 2016 the learned Judicial Magistrate No.1, Namakkal by order dated 14.11.2019 and set aside the conviction.

For Petitioner : Mr.A.Sathishkumar

For Respondent : Mr.P.Narayana Prasadh



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ORDER

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This Criminal Original Petition has been filed to permit the petitioner and the respondent to compound the offence in CrI.R.C.No.916 of 2020 concerned in C.A.No.87 of 2019 the Principal District & Sessions Court, Namakkal, dated 14.09.2020 confirming the judgment passed in C.C.No.304 of 2016 the learned Judicial Magistrate No.1, Namakkal by order dated 14.11.2019 and set aside the conviction.

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 petitioner and the 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 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceedings in C.A.No.87 of 2019 on the file of the Principal District & Sessions Court, Namakkal, and the proceedings in C.C.No.304 of 2016 on the file of the learned Judicial Magistrate No.1, Namakkal.

5. In view of the above, the proceedings in C.A.No.87 of 2019 on the file of the Principal District & Sessions Court, Namakkal, and the proceedings in C.C.No.304 of 2016 on the file of the learned Judicial Magistrate No.1, Namakkal, are hereby quashed as against the petitioner alone. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of **Rs.5,000/-, (Rupees Five Thousand only)** as costs, to the **Chief Justice Relief Fund, Tamil Nadu**, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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

27.02.2025
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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1. The Principal District & Sessions Judge,
Principal District & Sessions Court, Namakkal.
2. The Judicial Magistrate No.1,
Namakkal.
3. The Public Prosecutor,
Madras High Court, Chennai.



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G.K.ILANTHIRAIYAN, J.

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