

Crl.O.P.(MD)No.1022 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1022 of 2025
and Crl.M.P(MD) No.667 of 2025

P.Vasanth Alias P.Vasanth Ram

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thuvakkudi Police Station,
Trichy District.
Crime No. 322 of 2024.

2. A. Praveen

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to the First Information Report in Crime No. 322 of 2024 on the file of the 1st respondent and Quash the same as against the petitioner / sole accused.

For Petitioner : Mr. K.Kharikharadas

For Respondents : Mr.K.Sanjai Gandhi, (R1)
Government Advocate (Crl.Side)

M/s. M.Sathya Seelan (R2)



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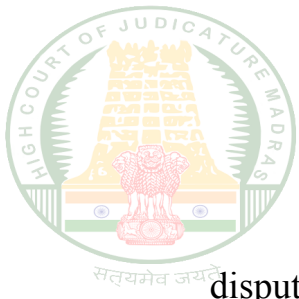
ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.322 of 2024 on the file of the first respondent Police.

2. The case of the prosecution is that on 22.12.2024, the petitioner drove the two wheeler recklessly and dashed against the TATA Ace vehicle, thereby, the defacto complainant's brother sustained injury. Hence this present case lodged by the defacto complainant.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the second respondent has lodged a complaint before the first respondent Police and on that basis, F.I.R. came to be registered in Crime No.322 of 2024, for the offences under Sections 281, 125(a) of BNS Act, 2023 against the petitioner.

4. The case is still under the investigation. By passage of time, the parties have decided to bury their hatchet and compromise the



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dispute amicably among themselves.

5. A Joint Memo of Compromise, dated 21.01.2025, has been filed before this Court, which has been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Ms.Devasena, SSI of Police, Thuvakudi Police Station, Trichy District as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. In the instant case, the parties had compromised their dispute. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 281, 125(a) of BNS Act, 2023.

7. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in



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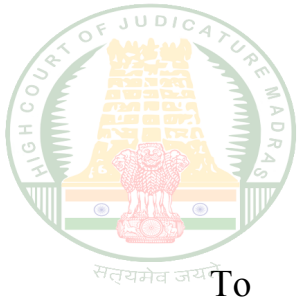
(2012)10 SCC 303 and *Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat* reported in (2017) 9 SCC 641 were taken into consideration.

8. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No.322 of 2024, pending before the first respondent Police, even though, the offence involved is not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.322 of 2024, on the file of the first respondent Police, is quashed and the terms of joint compromise memo, shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

28.01.2025

NCC : Yes / No
Index : Yes / No
PNM



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To
1.The Inspector of Police,
Thuvakkudi Police Station,
Trichy District.
Crime No. 322 of 2024.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

PNM

Order in
CrI.O.P.(MD)No.1022 of 2025
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