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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11019 of 2026

Bernanda Martin Prabhu

..Petitioner

Vs

1. The State rep. by,
The Inspector of Poice,
S-8, Adambakkam Police Station,
St.Thomas Mount,
Chennai.
(Crime No.261/2025)

2. Akash

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records in C.C.No.541 of 2025 on the file of the learned Judicial Magistrate No.II, Court at Alandur and quash the same.

For Petitioner:

Mr. M. Madhan Kumar

For Respondents:

Mr. Leonard Arul Joseph Selvam,
Additional Public Prosecutor for R1

ORDER

The petitioner, who is arrayed as the accused in C.C.No.541 of 2025, facing trial for offences under Sections 296(b) and 118(1) of the BNS, 2023 on



the file of the Judicial Magistrate No.II, Alandur, has filed this Criminal Original Petition.

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2. The case of the prosecution is that the defacto complainant is the proprietor of BROS Briyani Shop. On 15.05.2025 at about 12.15 a.m., the accused visited the shop and purchased biriyani. It is alleged that the accused, who was under the influence of alcohol, demanded additional bread halwa free of cost, which resulted in a verbal altercation with the shop workers. Subsequently, the accused quarreled with the complainant and the dispute escalated into a physical scuffle. During the occurrence, the accused allegedly abused the complainant in filthy language and assaulted him with an iron rod, causing injuries. The complainant was thereafter admitted to a nearby multi-speciality hospital for treatment. Based on the complaint, the 1st respondent registered a case in Crime No.261 of 2025 for the offences under Sections 296(b) and 118(1) of the BNS. On completion of the investigation, the 1st respondent Police filed a charge sheet before the trial Court, listing 10 witnesses and the relevant documents.

3. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing for the 1st respondent and the learned counsel appearing for the 2nd respondent.



4. The case is at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. Today the petitioner and the 2nd respondent appeared before this Court and their identities were confirmed by the 1st respondent police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The petitioner and the 2nd respondent have filed separate affidavits before this Court and have also filed a Joint Compromise Memo.

6. Under such circumstances, no useful purpose will be served in keeping the First Information Report 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)**, and after exercising due caution as advised by the Hon'ble Suprme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., is inclined to quash the proceedings in C.C.No.541 of 2025 on the file of the Judicial Magistrate No.II, Alandur.



7. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.541 of 2025 on the file of the Judicial Magistrate No.II, Alandur is quashed against the petitioner.

29-04-2026

Neutral Citation: Yes/No
AT

To

- 1.The Judicial Magistrate No.II,
Alandur.
- 2.The Inspector of Poice,
S-8, Adambakkam Police Station,
St.Thomas Mount,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

AT

CRL OP No. 11019 of 2026

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