



WEB COPY

CRL OP No. 8893 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 8893 of 2026

Sarath Kumar

..Petitioner

Vs

1. The State Rep By,
The Inspector of Police,
Oragadam Police Station,
Kancheepuram.

2. Sathish Kumar

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records pertaining to the proceedings pending in C.C.No.761 of 2025 dated 22.07.2025 on the file of the learned Judicial Magistrate at Sriperumbudur and quash the same.

For Petitioner:

Mr. D. Dayalan

For Respondent:

Mr. Leonard Arul Joseph Selvam
Additional Public Prosecutor for R1

Mr.T.Pradeep Raj for R2

ORDER

The petitioner who is an accused in C.C.No.761 of 2025 facing trial for offences under Sections 296(b), 118(1) and 351(3) of the BNS before the Judicial Magistrate, Sriperumbudur, has filed this Criminal Original Petition.

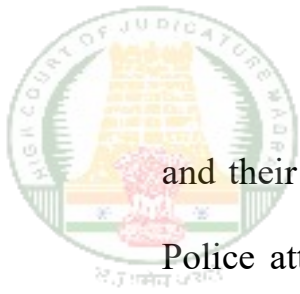


2. The case of the prosecution is that on 19.04.2025, the petitioner along with his friend, drove a car bearing Registration No.TN-11-AP-6538 in a rash and negligent manner and attempted to hit the 2nd respondent near his residence. When questioned, the petitioner abused the 2nd respondent in filthy language, caused injuries and threatened him with a knife. Further, it is stated that the petitioner and the 2nd respondent are residing in the same village and on the day of the occurrence, there was an altercation between them. In the heat of the moment, the petitioner assaulted the 2nd respondent. On the complaint given by the 2nd respondent, the 1st respondent Police registered an FIR in Crime No.126 of 2025 for offence under Sections 296(b), 118(1) and 351(3) 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 for the 1st respondent and the learned counsel 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 identity is confirmed by Mr. J. Vijaymuthu Kumar, Sub Inspector of Police attached to the 1st respondent Police Station. 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 Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., is inclined to quash the proceedings in C.C.No.761 of 2025 on the file of the Judicial Magistrate, Sriperumbudur.

7. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.761 of 2025 on the file of the Judicial Magistrate, Sriperumbudur is quashed against the petitioner.

10-04-2026

Neutral Citation: Yes/No
AT



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M.NIRMAL KUMAR, J.

AT

To

- 1.The Judicial Magistrate,
Sriperumbudur.
- 2.The Inspector of Police,
Oragadam Police Station,
Kancheepuram.
- 3.The Public Prosecutor,
High Court of Madras.

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