



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11480 of 2026

AND

CRL MP NO. 8233 OF 2026, CRL MP NO. 8232 OF 2026

1. Gavin Christon

2. Andre Eling

Petitioners

Vs

1. State Rep. by,
The Inspector of Police,
T20, Kanathur Police Station,
Chengalpattu District.
(Cr.No.3 of 2025)

2. Ramachandran

Respondents

PRAYER

This criminal original petition is preferred under Section 528 of BNSS seeking to call for the records relating to the trial in CC.No.92 of 2025 on the file of the District Munsif Cum Judicial Magistrate, Sholinganallur and quash the same in so far as the petitioners are concerned and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.V.Illanchezian

For Respondent(s): Mr.A. Amarnath, Counsel for
Government of Tamil Nadu
(Criminal side) for R-1



Mr.R.Lohith for R2

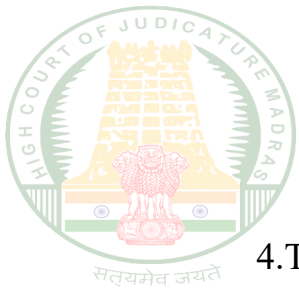
ORDER

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The petitioners who are accused in C.C.No.92 of 2025 facing trial for offence under Sections 126(2), 296(b), 351(3) and 117(2) of the BNSS, 2023 before the learned District Munsif-cum-Judicial Magistrate, Sholinganallur has filed this Criminal Original Petition seeking to quash the same insofar as petitioners are concerned.

2.Case of the prosecution is that while the 2nd respondent was travelling to Chennai in his vehicle, the petitioners who are A-1 and A-2 along with other accused were also travelling in a car and near Uthandi Tollgate, the accused persons continuously honked the car and due to which, some wordy altercation occurred between the defacto complainant second respondent and accused persons. It is alleged that the accused persons started abusing and assaulting the second respondent and have also threatened him. Therefore, a complaint has been lodged and after investigation, the charge sheet has been laid before the concerned court.

3.Now, the case is taken on file before the learned District Munsif-cum-Judicial Magistrate, Sholinganallur and the same is pending. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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4. Today the petitioners and the 2nd respondent appeared before this Court and their identity is confirmed by Mr.N.Mahesh Kumar, Gr.I PC 2043 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 petitioners and the 2nd respondent have filed separate affidavits before this Court and also filed the Joint Compromise Memo dated 24.04.2026. The relevant portions of the Joint Compromise Memo are paragraphs 2,3 and 4 and they are as follows:

‘2.It is submitted that, after the intervention of the family elders and well-wishers, the parties have amicably settled the dispute. Thereby, the 2nd respondent have no subsisting grievance against the petitioners and also have no objection in quashing the criminal proceedings in CC No.92 of 2025 on the file of the District Munsif Cum Judicial Magistrate, Sholinganallur as against the petitioners/ Accused Nos.1&2.

3.It is submitted that this compromise is entered between the parties voluntarily without any coercion, threat, or undue influence, and further undertake to appear before this Hon’ble Court to affirm the same.

4.This Hon’ble Court may be pleased to record this Joint Memo of Compromise and pass appropriate orders quashing the proceedings in CC No.92 of 2025 on the file of the District Munsif Cum Judicial Magistrate, Sholinganallur, in the interest of justice.’

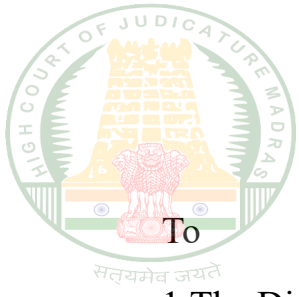


5. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **(2017) 9 SCC 641-(Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur Vs. State of Gujarat)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 5 SCC 570**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS is inclined to quash the proceedings in C.C.No.92 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Sholinganallur.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.92 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Sholinganallur is quashed as against the petitioners. No costs. Consequently, connected miscellaneous petitions are closed.

12-06-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1. The District Munsif cum Judicial
Magistrate, Sholinganallur.

2. The Inspector of Police,
T20, Kanathur Police Station,
Chengalpattu District.
Cr.No.3 of 2025.

3. The Government Advocate
(Criminal side),
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.

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