

A.Abdullah vs State Rep. by the Inspector of Police

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Court : Chennai

Decided On : Apr-01-2025

Judge : Honourable Mr Justice G.K. Ilanthiraiyan

Appeal No. : CRL OP/8976/2025

Appellant : A.Abdullah

Respondent : State Rep. by the Inspector of Police

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.8976 of 2025 A.Abdullah ... Petitioner Vs. 1.State
represented by The Inspector of Police, Kelambakkam Police Station,
Kelambakkam. 2.M.Thamima ..Respondents PRAYER: Criminal Original
Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha
Sanhita, 2023, to call for the records pertaining to the FIR in Crime
No.263 of 2024 dated 05.09.2024, pending on the file of the
Kelambakkam Police Station, Kelambakkam and quash the FIR report.

For Petitioner : Mr.K.Selvarangan For R1 : Mr.A.Gopinath, Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.263 of 2024 on the file of the first respondent, registered for the offences under Sections 296(b), 351(2) of BNS, 2023 and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 second 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.

4. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the FIR in Crime No.263 of 2024 pending on the file of the first respondent.

5. In view of the above, the FIR in Crime No.263 of 2024 on

the file of the first respondent, is hereby quashed. 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) in total as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Accordingly, the Criminal Original Petition stands allowed. 01.04.2025 Neutral citation : Yes/No

Speaking/non-speaking order

shk To 1.The Inspector of Police, Kelambakkam Police Station, Kelambakkam.

2. The Public Prosecutor, High Court, Madras.

G.K.ILANTHIRAIYAN, J.

shk Crl.O.P.No.8976 of 2025 01.04.2025

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