



Crl.O.P.No. 4314 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 4314 of 2025

and

Crl.M.P.No.2729 of 2025

1. Vignesh

2. Senthilkumar

3. Chandrasekar

4. Sivakumar

5. Manjula

..... Petitioners

Vs

1. State represented by
The Inspector of Police,
All Women Police Station,
Virugambakkam.
Crime No.2 of 2023.

2. Nandhini

.... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the FIR in Crime No.2 of 2023 on the file of the AWPS-Virugambakkam Police Station, thiruvallur District against the petitioners and quash the same.

For Petitioners : Mr.D.Magesh

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)



Crl.O.P.No. 4314 of 2025

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ORDER

This petition has been filed to quash the FIR in Crime No.2 of 2023 on 01.10.2023 on the file 1st respondent police registered for the offence under Section 417, 506(1) of IPC and 3(1)(w)(i) of SC/ST (Prevention of Atrocities) Act, 1989, as against the petitioners.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. An affidavit has been filed by the second respondent before this Court stating that now she married the first petitioner and living with him in very happiest manner. 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.



Crl.O.P.No. 4314 of 2025

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4. Though the first petitioner and the second respondent were living together happily, they have failed to register their marriage before the registering authority.

5. Under such circumstances, no useful purpose will be served in keeping the FIR 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)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the FIR in Crime No.2 of 2023 pending on the file of the first respondent.

6. In view of the above, the FIR in Crime No.2 of 2023 pending on the file of the first respondent is hereby quashed as against the petitioners on condition that the first petitioner shall register his marriage with the second respondent before the concerned authority within a period of two weeks from the date of receipt of a copy of this order, and produces the marriage certificate before the first respondent. Failing which, the order passed by this Court shall stand automatically cancelled and the first respondent is directed to proceed with the



Crl.O.P.No. 4314 of 2025

investigation as against the petitioners. The terms of affidavit filed by the defacto complainant/second respondent shall form part and parcel of this order.

7. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

18.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1.The Inspector of Police,
All Women Police Station,
Virugambakkam.

2. The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No. 4314 of 2025

G.K.ILANTHIRAIYAN, J.

Lpp

Crl.O.P.No. 4314 of 2025

18.02.2025