



CrI.O.P.No.6155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2025

CORAM:

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

CrI.O.P.No.6155 of 2025

R.Mohan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Denkanikottai,
Krishnagiri District.

2.State Rep.By,
The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.

3.R. Manjula

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the Charge Sheet in S.C.No.159 of 2019 on the file of learned Principal District and Sessions Judge, Krishnagiri District, Krishnagiri and quash the same on the ground of compromise.

For Petitioner : Mr.M.P.Saravanan

For R1 & R2 : Mr.A.Gopinath
Government Advocate (CrI. Side)



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ORDER

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This petition has been filed to quash the proceedings in Special S.C.No.159 of 2019 pending on the file of the Principal District and Sessions Judge, Krishnagiri District, Krishnagiri, as against the petitioner, thereby taken cognizance for the offences under Sections 417, 376 of IPC r/w 3(2)(v) of SC/ST (Prevention of Atrocities) Amendment Act, 2015.

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 by the third respondent before this Court stating that now she married the petitioner and living with him in very happiest manner. All the parties are present and identified by the learned counsel for the petitioner and the Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. It is seen that the petitioner/accused married the defacto complainant and they gave birth to a female child. Their marriage also



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got registered before the authority concerned. Now both are living happily and therefore, the petitioners need not go for ordeal of trial.

5. Under such circumstances, no useful purpose will be served in keeping the proceeding 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 proceeding in Special S.C.No.159 of 2019 pending trial on the file of the Principal District and Sessions Judge, Krishnagiri District, Krishnagiri.

6. In view of the above, the proceedings in Special S.C.No.159 of 2019 on the file of the Principal District and Sessions Judge, Krishnagiri District, Krishnagiri, is hereby quashed as against the petitioner. The terms of Joint Memo of Compromise shall form part and parcel of this Order.



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WEB COPY 7. Accordingly, the Criminal Original Petition stands allowed.

05.03.2025

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

To

1.The Deputy Superintendent of Police,
Denkanikottai,
Krishnagiri District.

2.The Inspector Of Police,
Denkanikottai Police Station,
Krishnagiri District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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