



Crl.O.P.No.5380 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM:

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

Crl.O.P.No.5380 of 2025

1. R.Sathish Kumar
2. G.Ravichandran
3. Vijayalakshmi

... Petitioners

Vs.

1. The State rep by
The Inspector of Police,
All Women Police Station,
Avadi.
(Crime No.9 of 2022)

2. Krishnakumari

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire proceedings in C.C.No.189 of 2022, pending before the learned Judicial Magistrate-I, Poonamallee and quash the same on joint compromise.

For Petitioners : Mr.M.Govindaraju

For Respondents

For R1 : Mr.K.M.D.Muhilan

Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in C.C.No.189 of 2022 on the file of the learned Judicial Magistrate-I, Poonamallee, thereby taken cognizance for the offences under Sections 498(A), 506(1), 34, 109 of IPC and Section 4 of Dowry Prohibition Act, 1961.

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

3. A Joint Memorandum of Compromise has been filed before this Court, which has been signed by the petitioner and the defacto complainant 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.



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4. Under such circumstances, no useful purpose will be served

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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 C.C.No.189 of 2022 pending trial on the file of the learned Judicial Magistrate-I, Poonamallee.

5. In view of the above, the proceedings in C.C.No.189 of 2022 pending on the file of the learned Judicial Magistrate-I, Poonamallee, is hereby quashed. The terms of Joint Memorandum of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.2,000/-, (Rupees two Thousand only) each as costs, to the Chief Justice Relief Fund, Tamil Nadu, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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WEB COPY 6. Accordingly, the Criminal Original Petition stands allowed.

28.02.2025

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

rts

To

1. The Judicial Magistrate-I,
Poonamallee .

2. The Inspector of Police,
All Women Police Station,
Avadi.

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



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G.K.ILANTHIRAIYAN, J.

rts

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