



Crl.O.P.No.10487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM:

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

Crl.O.P.No.10487 of 2025

J.Martin Maria Dass

... Petitioner

Vs.

1. The State Rep by
The Inspector of Police,
Kundrathur Police Station,
Tambaram District,
Crime No.328 of 2023

2. R.Vijayalakshmi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the FIR No.328 of 2023 for the alleged offences under Sections 294(b), 323 and 498(A) of IPC and 4 of the TNPHW Act, registered in Kundrathur Police Station on date 13.07.2023 and other proceedings driven from or connected to the FIR.

For Petitioner : Mr.T.Selvasivakumar

For Respondents

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



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ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.328 of 2023 on the file of the first respondent, registered for the offences under Sections 294(b), 323 and 498(A) of IPC and 4 of the TNPHW Act.

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

3. A Joint Compromise Memo 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 and it is 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



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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.328 of 2023 pending investigation on the file of the first respondent.

5. In view of the above, the FIR in Crime No.328 of 2023 on the file of the first respondent, is hereby quashed. The terms of Joint Compromise Memo shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, (Rupees five thousand only) as costs, to the Chief Justice Relief Fund, Madras High Court, Tamil Nadu, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Accordingly, the Criminal Original Petition stands allowed.

22.04.2025

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



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G.K.ILANTHIRAIYAN, J.

rts

To

1. The Inspector of Police,
Kundrathur Police Station,
Tambaram District,

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

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22.04.2025