



Crl.O.P.No.14055 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM:

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

Crl.O.P.No.14055 of 2025

V.Maheswari

... Petitioner

Vs.

1.State of Tamilnadu,
Inspector of Police,
Cuddalore NT Police Station,
Cuddalore
2.N.Vinothkumar

... Respondents

PRAYER:

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records relating to CC.No.450 of 2024 on the file of the learned Judicial Magistrate-II at Cuddalore and quash the same.

For Petitioner : Mr.S.Siva Kumar

For Respondents

For R1 : Mr.R.Vinothraja,
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in CC.No.450 of 2024 pending on the file of the learned Judicial Magistrate-II at Cuddalore, thereby taken cognizance for the offences under Sections 149, 147, 294(b), 323 & 506(2) of IPC.

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 defacto complainant / the second respondent. 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.



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

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in keeping the impugned 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 proceedings in CC.No.450 of 2024 pending on the file of the learned Judicial Magistrate-II at Cuddalore.

5. In view of the above, the proceedings in CC.No.450 of 2024 pending on the file of the learned Judicial Magistrate-II at Cuddalore, is hereby quashed as against the petitioner. The terms of the aforesaid Joint Memo of Compromise dated 03.02.2024 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.



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6. Accordingly, the Criminal Original Petition stands allowed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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1.The learned Judicial Magistrate-II at Cuddalore

2.The Inspector of Police,
Cuddalore NT Police Station,
Cuddalore

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



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G.K.ILANTHIRAIYAN, J.

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