



Crl.O.P.No.6953 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM:

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

Crl.O.P.No.6953 of 2025
and Crl.M.P.Nos.4448 & 4449 of 2025

1.Punithamary

... Petitioner

Vs.

1.The State Rep by
The Inspector of Police,
District Crime Branch,
Kancheepuram
Crime No.4 of 2021

2.P.Santhoshkumar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in C.C.No.417 of 2023 pending on the file of the learned Judicial Magistrate No-I, Kacheepuram and quash the same as against this petitioner.

For Petitioner : Mr.N.P.Prashannaa

For Respondents

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

For R2 : Mr.R.Vivekanandan



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ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.417 of 2023 pending on the file of the learned Judicial Magistrate No-I, Kacheepuram, thereby taken cognizance for the offences under Sections 120B, 420, 465, 468, 471, 381, 408, 411, 414, 380 of IPC.

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

3. A Joint Affidavit of Compromise has been filed before this Court, which has been signed by the petitioner and the defacto complainant. All the parties are present and identified by their respective counsel and the Police. 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 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.417 of 2023 pending trial on the file of the learned Judicial Magistrate No-I, Kacheepuram.

5. In view of the above, the proceedings in C.C.No.417 of 2023 pending on the file of the learned Judicial Magistrate No-I, Kacheepuram, is hereby quashed in respect of the petitioner alone. The Trial Court is directed to proceed with the trial as against the other accused persons. The terms of the aforesaid Joint Affidavit of Compromise 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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Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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1.The learned Judicial Magistrate No-I, Kacheepuram

2.The Inspector of Police,
District Crime Branch,
Kancheepuram

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



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G.K.ILANTHIRAIYAN, J.

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