



Crl.O.P.No.10254 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

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

Crl.O.P.No.10254 of 2025 and
Crl.MP.Nos.6839 & 6840 of 2025

1.R.Dinesh Kumar
2.Selvi
3.Divya
4.Bakkiyam
5.Deepa
6.Manikandan

... Petitioners

Vs.

1. The State rep by
Assistant Commissioner of Police,
Anna Nagar Circle,
Anna Nagar, Chennai 600 040
2.Abirami

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the Spl.SC.No.42 of 2024 on the file of the Principal Sessions Court at Chennai arising out of Crime No.5 of 2024 on the file of the first respondent and quash the same.

For Petitioners : Mr.Prakash Goklaney

For Respondents

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



Crl.O.P.No.10254 of 2025

ORDER

WEB COPY

This petition has been filed to quash the proceedings in Spl.SC.No.42 of 2024 pending on the file of the Principal Sessions Court at Chennai as against the petitioners, thereby taken cognizance for the offences under Sections 376, 417, 498(A), 506(1) of IPC r/w Sections 3(2)(v), 3(1)(z) and 3(1)(zc) of SC and ST Act, 1989.

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 by the petitioners and the second respondent/defacto complainant before this Court stating that the complaint was given by the second respondent under pre-issues from the family members. She further stated that she had married the first petitioner and they would shortly resume co-habitation once the parents are convinced. 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 the same 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.



Crl.O.P.No.10254 of 2025

4. It is seen that the second respondent already got married the first petitioner and they would shortly resume co-habitation. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Spl.SC.No.42 of 2024 pending trial on the file of the learned Principal Sessions Court at Chennai.

6. In view of the above, the proceedings in Spl.SC.No.42 of 2024 on the file of the learned Principal Sessions Court at Chennai, is hereby quashed as against the petitioners. The joint compromise memo filed by the petitioners and the second respondent/defacto complainant shall form part and parcel of this Order.



Crl.O.P.No.10254 of 2025

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

07.04.2025

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



Crl.O.P.No.10254 of 2025

WEB COPY

1.The learned Principal Sessions Court at Chennai

2.Assistant Commissioner of Police,
Anna Nagar Circle,
Anna Nagar, Chennai 600 040

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



WEB COPY



Crl.O.P.No.10254 of 2025

G.K.ILANTHIRAIYAN, J.

lok

Crl.O.P.No.10254 of 2025

07.04.2025