



Crl.O.P.No.11158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM:

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

Crl.O.P.No.11158 of 2025

V.Shanmugam

... Petitioner

Vs.

1. The Inspector of Police,
Lawspet Police Station,
Puducherry.
Crime No.129 of 2021.

2. Gowri

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to C.C.No.196 of 2022 pending on the file of the learned Judicial Magistrate Court, Mahila Court (Magistrate level), Puducherry and quash the same.

For Petitioner : Mr.G.Chandrasekaran

For Respondents

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



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ORDER

This Criminal Original Petition has been filed to quash the C.C.No.196 of 2022 on the file of the learned Judicial Magistrate, Mahila Court (Magistrate level), Puducherry, thereby taken cognizance for the offences under Sections 354(A) & 509 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 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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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.196 of 2022 pending trial on the file of the learned Judicial Magistrate, Mahila Court (Magistrate level), Puducherry.

5. In view of the above, the proceedings in C.C.No.196 of 2022 on the file of the learned Judicial Magistrate, Mahila Court (Magistrate level), Puducherry, is hereby quashed. The terms of Joint 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.



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

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

rts



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1. The Judicial Magistrate,
Mahila Court (Magistrate level),
Puducherry

2.The Inspector of Police,
Lawspet Police Station,
Puducherry.

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



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G.K.ILANTHIRAIYAN, J.

rts

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