



WEB COPY



Crl.O.P.No.12169 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.12169 of 2025

1. Naina Mohammed

2. Yasmin

3.Kabilath Begum

... Petitioners

Vs.

1. The State by,
The Inspector of Police,
All Women Police Station,
Pollachi.

2. Reshma

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023, to call for the records relating to the charge sheet in C.C.No.702 of 2023 pending on the file of the Judicial Magistrate No.I, Pollachi and to quash the same.

For Petitioner : Mr.T.Arul

For R1 : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER



Crl.O.P.No.12169 of 2025

WEB COPY

This Criminal Original Petition has been filed seeking to call for the records relating to the charge sheet in C.C.No.702 of 2023 pending on the file of the Judicial Magistrate No.I, Pollachi and to quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent-Police and perused the materials available on record.

3. Learned counsel for the petitioner submitted that, pending C.C.No.702 of 2023 on the file of the Judicial Magistrate No.I, Pollachi, the matter had been settled between the parties and they have also entered into a Memorandum of Understanding.

4. Learned Government Advocate (Crl.Side) appearing for the first respondent-Police submitted that the de-facto complainant informed to the investigating agency that no settlement has been arrived at between the parties.

5. Though it is stated that matter has been settled between the



CrI.O.P.No.12169 of 2025

WEB COPY

parties and Memorandum of Understanding was also entered into between them, on a perusal of the Memorandum of Understanding, it is seen that the signature of the parties are not available in the Memorandum of Understanding.

6. On a reading of F.I.R, charge sheet and also the statement of witnesses recorded by the Investigating Agency, it is seen that prima facie allegations are available as against the petitioner to proceed the case further. The grounds taken by the petitioner for quashing the CC are nothing but defences and the same can be agitated only during the course of trial.

7. Hence, this Criminal Original Petition is dismissed. The petitioners are at liberty to settle the matter and approach the trial Court for appropriate remedy.

11.06.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Judicial Magistrate No.I, Pollachi



CrI.O.P.No.12169 of 2025

WEB COPY

2. The Inspector of Police,
All Women Police Station,
Pollachi.

3. The Public Prosecutor,
High Court, Chennai.



WEB COPY



CrI.O.P.No.12169 of 2025

P.VELMURUGAN, J

mfa

CrI.O.P.No.12169 of 2025

11.06.2025