



Crl.O.P.No.11373 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM:

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

Crl.O.P.No.11373 of 2025

1.Mohammed Amanulla @ Amanulla
2.Mohammed Ismail @ Ismail
3.Sayadhu Abudagir

... Petitioners

Vs.

1.The Inspector of Police
Vadalur Police Station
Cuddalore District
(Crime No.331 of 2022)

2.Sahan Begum alias Rihana Parveen

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C./528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the proceedings concerned in C.C.No.14 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Kuringipadi, Cuddalore District.

For Petitioners : Mr.V.Murugesan

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.14 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District, thereby taken cognizance for the offences under Sections 294(b), 323, 324, 506(2) and 109 IPC, 1860.

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 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.

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



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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 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.14 of 2023 pending trial on the file of the learned District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District.

5.In view of the above, the proceedings in C.C.No.14 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Kurinjipadi, Cuddalore District, is hereby quashed as against the petitioners alone. The Trial Court is directed to proceed with the trial as against the other accused persons. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioners shall jointly pay a sum of Rs.6,000/-, (Rupees Six 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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G.K.ILANTHIRAIYAN, J.

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6.Accordingly, the Criminal Original Petition stands allowed.

17.04.2025

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Index: Yes / No
Neutral Citation

To

1.The District Munsif cum Judicial Magistrate
Kurinjipadi
Cuddalore District

2.The Inspector of Police
Vadalur Police Station
Cuddalore District
(Crime No.331 of 2022)

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

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