



Crl.O.P.No.12804 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM:

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

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A.Shameemullah

... Petitioner

Vs.

1.The Inspector of Police,
Mettupalayam Police Station,
Coimbatore 641 301
(crime No.1137 of 2020)
2.S.Benazir

... 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.54 of 2021 on the file of the Judicial Magistrate, Mettupalayam, Coimbatore and to quash it, as against the petitioner.

For Petitioner : Mr.A.Rajamohamed

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 proceedings in C.C.No.54 of 2021 on the file of the Judicial Magistrate, Mettupalayam, Coimbatore, thereby taken cognizance for the offences under Sections 294(b), 323, 324 & 506(2) of IPC.

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

3. A Compromise Memo 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. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and it is 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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4. Under such circumstances, no useful purpose will be served

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in keeping the impugned proceedings 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.54 of 2021 pending trial on the file of the Judicial Magistrate, Mettupalayam, Coimbatore, as against the petitioner..

5. In view of the above, the proceedings in C.C.No.54 of 2021 pending trial on the file of the Judicial Magistrate, Mettupalayam, Coimbatore, is hereby quashed as against the petitioner. The terms of Compromise 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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6. Accordingly, the Criminal Original Petition stands allowed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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1.The Judicial Magistrate, Mettupalayam, Coimbatore

2.The Inspector of Police,
Mettupalayam Police Station,
Coimbatore 641 301

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



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G.K.ILANTHIRAIYAN, J.

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