



Crl.O.P.No. 13354 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2025

CORAM:

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

Crl.O.P.No.13354 of 2025

1.M.P.Kumaraguruparan
2.Azhagunila
3.Kalaivani

... Petitioners

Vs.

1.The Inspector of Police,
All Women Police Station,
Adayar, Chennai 28.

2.A.R.Nilavarasi

..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.2247 of 2023 on the file of the IV Metropolitan Magistrate Court, Saidapet, Chennai and quash the same based on the compromise memo dated 15.09.2023.

For Petitioners : Mr.R.Sampath Kumar

For R1 : Mr.A.Gopinath,
Government Advocate (crl.side).



Crl.O.P.No. 13354 of 2025

WEB COPY

ORDER

This petition has been filed to quash the proceedings in C.C.No.2247 of 2023 on the file of the IV Metropolitan Magistrate Court, Saidapet, Chennai, on the ground that the matter has been amicably settled between the parties.

2. When the matter was taken up for hearing, the learned counsel apperaing on behalf of the petitioners submitted that the parties have entered into a compromise and seek to quash the criminal proceedings on that basis. However, neither the petitioners nor the de-facto complainant appeared before this Court to affirm the compromise or confirm its voluntary nature. In petitions seeking quashing of the criminal proceedings on the ground of compromise, particularly in cases involving allegations of a private nature or compoundable offences, the physical presence of the parties is often required to enable the Court to ascertain the genuineness and voluntariness of the compromise. In the absence of the parties, this Court is not inclined to accept the plea for quashing at this stage.



Crl.O.P.No. 13354 of 2025

WEB COPY

3. Accordingly, this Criminal Original Petition stands dismissed.

However, liberty is granted to the petitioners to file a fresh petition and to ensure the presence of the parties before this Court, if they intend to pursue quashing on the ground of settlement.

29.04.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk
To

1. The IV Metropolitan Magistrate Court, Saidapet, Chennai.
2. The Inspector of Police,
All Women Police Station,
Adayar, Chennai 28.
3. Public Prosecutor, Madras High Court.



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G.K.ILANTHIRAIYAN, J.

shk

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