



Crl.O.P.No. 13631 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2025

CORAM:

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

Crl.O.P.No.13631 of 2025

C.Dillibabu

... Petitioner

Vs.

1.State rep by
The Inspector of Police
T-1 Ambathur Police Station,
Chennai 600 053.

2.D.Komala

..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.616 of 2023 pending on the file of learned Judicial Magistrate, Ambathur and quash.

For Petitioner : Mr.G.Kaviyarasu

For R1 : Mr.R.Vinothraja,
Government Advocate (crl.side)



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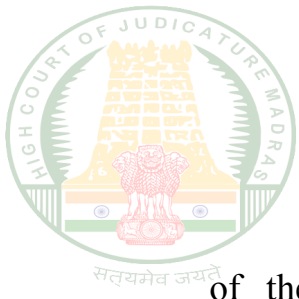
ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.616 of 2023 pending on the file of learned Judicial Magistrate, Ambathur.

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

3. A Joint Compromise Memo has been filed by the petitioner (husband) and the second respondent (wife) before this Court stating that due to a misunderstanding, both parties had been living separately. However, they have now reunited and are living together happily. 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. It is seen that the petitioner and the second respondent (wife



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of the petitioner) are now living together happily. Therefore, the petitioner need not go for ordeal of trial.

5. 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 proceedings in C.C.No.616 of 2023 pending trial on the file of learned Judicial Magistrate, Ambathur.

6. In view of the above, the proceedings in C.C.No.616 of 2023 pending on the file of learned Judicial Magistrate, Ambathur, is hereby quashed as against the petitioner. The Joint Compromise Memo filed by the petitioner and the second respondent shall form part and parcel of this Order.

G.K.ILANTHIRAIYAN, J.



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7. Accordingly, the Criminal Original Petition stands allowed.

30.04.2025

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

To

1. The Judicial Magistrate, Ambathur.

2. The Inspector of Police
T-1 Ambathur Police Station,
Chennai 600 053.

3. The Public Prosecutor,
High Court, Madras.

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