



CRL.OP(MD) NO.10833 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.10833 of 2024

and CRL. MP(MD)Nos.7208 & 7209 of 2024

1. Marimuthu
2. Nalleshwari
3. Shanthi
4. Sownthar @ Sowntharapandian

... Petitioners

Vs

1. The Inspector of Police
Thenkarai Police Station
Theni District, Crime No.48/2019.

2. Devi @ Dheivanayagi *
(*Amended as per order of this Court in
Crl.M.P(MD) No.7774 of 2024, dated 28.03.2025)

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records in C.C.No.354 of 2023 in Crime No.48/2019 on the file of the learned Judicial Magistrate, Periyakulam and quash the same.



WEB COPY



CRL.OP(MD) NO.10833 of 2024

For petitioners : Mr.S.Muniyandi

For Respondents : Mr. M.Sakthi Kumar (R1)
Government Advocate (Crl side)

For R2 : Mr.M.Muthu Kumar

ORDER

This petition has been filed by the petitioners to call for the records pertaining to C.C.No.354 of 2023 on the file of the Judicial Magistrate, Periyakulam for the offences under Sections 294(b), 323 IPC and Section 4 of TNPHW Act, in Crime No.48 of 2019 and quash the same.

2.According to the petitioners, the petitioners and defacto complainant are relatives. Based on the complaint given by the defacto complainant, the police has registered FIR in Cr.No. 48 of 2019 for the offences under Sections 294(b), 323 IPC and Section 4 of TNPHW Act.

3.When the matter was taken up for hearing, the learned counsel on both sides represented that during pendency of the case in C.C.No.354 of 2023, the matter has been amicably settled between the parties and to that effect, they have entered into a compromise and the same was filed before this Court.



CRL.OP(MD) NO.10833 of 2024

WEB COPY

4.Today, the defacto-complainant and all the petitioners are present and the Court enquired about the terms of compromise. The defacto-complainant represented that they entered into a compromise as they are relatives. A compromise memo, dated 28.03.2025 signed by the parties and their respective counsels, is also filed before this Court.

5.This Court has perused the terms of the compromise memo.

6.Considering the nature of the offences, the relationship between the parties and the parties have also entered into a compromise, it is appropriate to allow this petition.

7.Recording the said compromise memo, this petition is allowed and C.C.No.354 of 2023 on the file of the Judicial Magistrate, Periyakulam is quashed. Consequently, connected miscellaneous petitions are closed.

28.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PNM



CRL.OP(MD) NO.10833 of 2024

To

1.The Judicial Magistrate, Periyakulam

2. The Inspector of Police

Thenkarai Police Station

Theni District, Crime No.48/2019.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

WEB COPY



WEB COPY



CRL.OP(MD) NO.10833 of 2024

P.DHANABAL,J

PNM

ORDER IN
CrL.OP(MD) No.10833 of 2024
and CRL. MP(MD)Nos.7208 & 7209 of 2024

28.03.2025