



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.O.P.No.16602 of 2026

Manojkumar
S/o.Gajendran,
No.9, Sarangapani Street, Sivapoodham,
Vanagaram, Chennai -95.
Now at No.9/2, Venkatraman Nagar,
Duraishamy Reddy First Street, Korattur,
Thiruvallur, TN - 600080.

..Petitioner

Vs

1. State Rep. by the Inspector of Police,
T4 Maduravoyal Police Station,
Chennai,
Transferred to
The Inspector of Police,
W-33, All Women Police Station,
Virugambakkam, Chennai.
Crime No.02 of 2023
2. R.S.Amshumathi
D/o.R.Sathishbabu,
Residing at
Castle 222 Flats, D.No.46/09,
25th Street TNHB,
Korattur,
Chennai - 600 080.

..Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to call for the entire proceedings in C.C.No.743
of 2023, pending before the Learned Judicial Magistrate - II, Poonamallee, and
quash the same on joint compromise and thus render justice.



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CRL.O.P.No.16602 of 2



For Petitioner:

M/s.P.Kritika Kamal

For Respondents:

Mr.Mohamed Riyaz,
Government Advocate (Criminal side) For R1

Mr.M.Govindaraju
for S.M.A.Mohammed Faiz Mohideen for R2

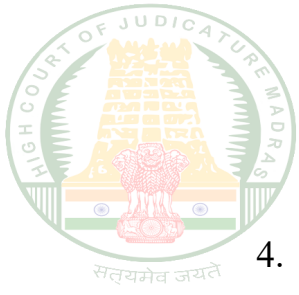
ORDER

The parties seek to quash the final report and the proceedings in C.C.No.743 of 2023 pending on the file of the learned Judicial Magistrate- II, Poonamallee.

2. On perusal of records, it can be seen that the case is for the offences under Sections 498A, 323 and 506(1) of the Indian Penal Code arising out of the matrimonial discard. It is now represented that the parties have resolved their differences between themselves and are parting as friends and taken a decision to file a divorce petition by way of mutual consent.

3. In view thereof, following the dictum of the Hon'ble Supreme Court of India in ***B.S.Joshi vs. State of Haryana and others***¹, is a fit case for the exercise of extraordinary jurisdiction under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.

¹Reported in (2003) 4 SCC 675



4. Accordingly, the Criminal Original Petition in Crl.O.P.No.16602 of 2026 stands allowed. The final report and the proceedings in C.C.No.743 of 2023 pending before the learned Judicial Magistrate II, Poonamallee stands quashed.

01-07-2026

Neutral Citation: Yes/No

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To:

- 1) The Judicial Magistrate II,
Poonamallee, Chennai
- 2) The Inspector of Police,
W-33, All Women Police Station,
Virugambakkam, Chennai.
[Crime No.02 of 2023]
- 3) The Public Prosecutor,
High Court of Madras.



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CRL.O.P.No.16602 of 2



D.BHARATHA CHAKRAVARTHY J.

sts

Order made in
CRL.O.P.No.16602 of 2026

Dated:
01-07-2026