



Crl.O.P.(MD) No.15020 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.15020 of 2022

1. Viswanathan,
2. Subbiah,
3. Parvathy,
4. Chandra,

: Petitioners

Vs

1. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli.
(Ref Crime No.06/2013).

2. Niranjana Priyadharshini,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records and quash the proceedings in CC No. 293/2018, pending on the file of Additional Mahila Court, Tirunelveli.



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For Petitioners : Mr.Samuel Gunasingh P,
For R1 : Mr.A.Albert James,
Government Advocate (Crl.Side)
For R2 : Mr.N.Balasubramanian

ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.293/2018, on the file of Additional Mahila Court, Tirunelveli, for the offences punishable under Sections 498(A), 406 of IPC, Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of women Act, in Crime No.06/2013.

2.The case of the prosecution is that the accused persons demanded additional dowry from the second respondent and also abused her with filthy language. Hence the complaint.

3.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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4. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs.V.Paul Maniyammal, WHC of Police, AWPS Palayamkottai as well as by the learned Counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 498(A), 406 of IPC, Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of women Act.

6. The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in



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(2012)10 SCC 303 and Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath reported in **(2017)9 SCC 641** were taken into consideration.

7. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in C.C.No.293/2018, on the file of Additional Mahila Court, Tirunelveli even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.293/2018, on the file of Additional Mahila Court, Tirunelveli is quashed and the terms of joint compromise memo shall form part and parcel of this order.

22.08.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



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V.SIVAGNANAM, J.

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