



*Crl.O.P.(MD)No.4248 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2024

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD)No.4248 of 2024

and

Crl.M.P.(MD)Nos.3370 and 3371 of 2024

1.Nathan @ Nathan Lakshmanan

2.Mathan @ Mathan Lakshmanan

3.Vaikunda Mani @ Vaikunda Mani Subramanian ... Petitioners

Vs.

1.State rep. by  
The Sub Inspector of Police,  
Anjugramam Police Station,  
Kanyakumari District.  
(Crime No.430 of 2015)

2.Bharathi @ Bharathi Ramanathan ... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 Cr.P.C.,  
to call for the records pertaining to the charge sheet in C.C.No.119 of  
2018 on the file of the Additional Mahila Court at Magisterial Level,  
Nagercoil, Kanyakumari District and quash the same as illegal.



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For Petitioners : Mr.G.Anto Prince  
For R1 : Mr.P.Kottai Chamy  
Government Advocate (Crl. Side)  
For R2 : Mr.M.Pozhilan

### **ORDER**

The Criminal Original Petition has been filed seeking orders to quash the charge sheet in C.C.No.119 of 2018 pending on the file of the Additional Mahila Court at Magisterial Level, Nagercoil, Kanyakumari District.

2. The case of the prosecution is that on 20.08.2015 at about 06.45 p.m., the petitioners restrained the second respondent and abused her in filthy language and also threatened her with dire consequences

3. The learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.430 of 2015 and after completing the investigation, final report came to be filed and the case was taken on file in C.C.No.119 of 2018 for the



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offences under Sections 341, 294(b) and 506(2) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 against the petitioners and is pending on the file of the Additional Mahila Court at Magisterial Level, Nagercoil, Kanyakumari District.

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

5. A Joint Memo of Compromise dated 23.04.2024 has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsels. The petitioners and the second respondent are present before this Court and and they were identified by Mr.S.Nagarajan, Special Sub Inspector, Anjugramam Police Station, 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.

6. In the instant case, the dispute is of personal in nature and the



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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 341, 294(b) and 506(2) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002.

7. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath*** reported in ***(2017)9 SCC 641*** were taken into consideration.

8. 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.119 of 2018 as against the petitioners pending before the Additional Mahila Court at Magisterial Level, Nagercoil, Kanyakumari District, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.119 of 2018, on the file of the Additional Mahila



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Court at Magisterial Level, Nagercoil, Kanyakumari District, is quashed as against the petitioners and the joint compromise memo dated 23.04.2024 shall form part and parcel of this order. Consequently, connected Miscellaneous Petitions are closed.

**11.09.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
csm

To

- 1.The Additional Mahila Court at Magisterial Level,  
Nagercoil, Kanyakumari District.
- 2.The Sub Inspector of Police,  
Anjugramam Police Station,  
Kanyakumari District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.MURALI SHANKAR,J.**

csn

Order made in  
Crl.O.P.(MD)No.4248 of 2024  
and  
Crl.M.P.(MD)Nos.3370 and 3371 of 2024

Dated: 11.09.2024