



*Crl.O.P.(MD)No.14873 of 2024*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 20.12.2024**

**CORAM**

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

**Crl.O.P.(MD)No.14873 of 2024**

1. Arunkumar

2. Manokar @ Manoharan

3. Neela

... Petitioners

**Vs**

1. State Represented By,  
The Inspector of Police,  
All Women Police Station,  
Jeeyapuram,  
Trichy District.  
Crime No. 20/2021..

2. Navamani

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records pertaining to the FIR in Crime No. 20 of 2021 on the file of the 1st respondent police and quash the same as illegal.

For Petitioners : Mr.Ramnath B,

For Respondents : Mr.K.Sanjai Gandhi, (R1)  
Government Advocate (Crl.Side)

M/s. D.Venkatesh (R2)



*Crl.O.P.(MD)No.14873 of 2024*

WEB COPY

## **ORDER**

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.20 of 2021 on the file of the first respondent Police.

2. The case of the prosecution is that due to matrimonial dispute, the defacto complainant was harassed and threatened by the accused persons. Hence this present case.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint before the first respondent Police and on that basis, F.I.R. came to be registered in Crime No.20 of 2021, dated 19.07.2021 for the offences under Sections 498(A), 294(b), 323 of IPC and Section 4 of TNPHW Act against the petitioners.

4. The case is still under the investigation. By passage of time, the parties have decided to bury their hatchet and compromise the



*Crl.O.P.(MD)No.14873 of 2024*

dispute amicably among themselves.

WEB COPY

5. A Joint Memo of Compromise, dated 04.09.2024, has been filed before this Court, which has 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 Ms.S.Pushpakani, SI of Police, Jeeyapuram Police Station, Trichy District, 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. The defacto complainant has got divorce from the first petitioner.

6. In the instant case, there is a matrimonial dispute between the parties and now the parties had compromised their disputes. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 498(A), 294(b), 323 of IPC and Section 4 of TNPHW Act.



***Crl.O.P.(MD)No.14873 of 2024***

WEB COPY

7. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat*** 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 Crime No.20 of 2021, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.20 of 2021, on the file of the first respondent Police, is quashed and the terms of joint compromise memo, shall form part and parcel of this order.

**20.12.2024**

NCC : Yes / No  
Index : Yes / No  
PNM



***Crl.O.P.(MD)No.14873 of 2024***

To

1.The Inspector of Police,  
All Women Police Station,  
Jeeyapuram, Trichy District.  
Crime No. 20/2021..

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



WEB COPY



*Crl.O.P.(MD)No.14873 of 2024*

**M.NIRMAL KUMAR, J.**

PNM

Order in  
**Crl.O.P.(MD)No.14873 of 2024**

**20.12.2024**