



*Crl.O.P.(MD)No.15380 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2024

CORAM

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

Crl.O.P.(MD)No.15380 of 2024

Muthupandi

... Petitioner

Vs.

1.State represented by  
The Inspector of Police,  
Samayanallur Police Station,  
Madurai District.  
(Crime No.58 of 2021)

2.Veyileswari

3.Bhuvaneswari

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS,  
to call for the records pertaining to the charge sheet in S.C.No.153 of  
2022 on the file of the learned Sessions Judge (Mahila Court) Madurai  
and quash the same.

For Petitioner : Mr.S.Prabhu,

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



*Crl.O.P.(MD)No.15380 of 2024*

WEB COPY

For R2 & R3 : Mr.AR.Kannappan

### **ORDER**

This Criminal Original Petition has been filed, invoking Section 528 of BNSS., seeking orders, to call for the records pertaining to the charge sheet in S.C.No.153 of 2022 on the file of the learned Sessions Judge (Mahila Court) Madurai and quash the same.

2. It is not in dispute that the petitioner and the third respondent are husband and wife. The second respondent is the sister of the third respondent.

3. The case of the prosecution is that there was a matrimonial dispute between the petitioner and the third respondent, due to which, the petitioner abused the third respondent and also attacked her with Aruval and caused injuries. Hence the complaint.

4. The learned counsel appearing for the petitioner would submit that the second respondent has lodged a complaint before the first



*Crl.O.P.(MD)No.15380 of 2024*

respondent and on that basis, FIR came to be registered in Crime No.58 of 2021 and after investigation and filing of the final report, the same was taken cognizance in S.C.No.153 of 2022 on the file of the learned Sessions Judge (Mahila Court) Madurai, for the offences under Sections 294(b), 307, 341, 506(ii) IPC and Section 4 of TNPHW Act 2002, against the petitioner.

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

6. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsels. The petitioner and the second respondent are present before this Court and and they were identified by Mr.P.Mayandi, SI, Samayanallur Police Station, Madurai 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.



*Crl.O.P.(MD)No.15380 of 2024*

WEB COPY

7. 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 294(b), 307, 341, 506(ii) IPC and Section 4 of TNPHW Act 2002.

8. 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 Gujrath*** reported in ***(2017)9 SCC 641*** were taken into consideration.

9. 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 S.C.No.153 of 2022 as against the petitioner pending before the Sessions Judge (Mahila Court) Madurai, even though, the offences involved are not compoundable in nature.

10. Accordingly, this Criminal Original Petition is allowed and the proceedings in S.C.No.153 of 2022, on the file of the Sessions Judge



*Crl.O.P.(MD)No.15380 of 2024*

(Mahila Court) Madurai, is quashed as against the petitioner and the joint compromise memo shall form part and parcel of this order.

**03.10.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
das

To

- 1.The Sessions Judge (Mahila Court)  
Madurai.
- 2.The Inspector of Police,  
Samayanallur Police Station,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



*Crl.O.P.(MD)No.15380 of 2024*

**K.MURALI SHANKAR,J.**

das

Order made in  
Crl.O.P.(MD)No.15380 of 2024

Dated: 03.10.2024