



CrI.O.P.No.30360 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.30360 of 2025

1. Immanuvel Leeban
2. Ebran Joseph
3. Kavitha
4. Irudhaya Jesintha
5. Andhoni @ Andhoni Raj
6. Prabha

... Petitioners

Vs.

1. The Sub-Inspector of Police,
AWPS – Anna Nagar Police Station,
Chennai.
2. Jebakani Ishwarya

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in C.C.No.56 of 2024, on the file of the Metropolitan Magistrate-cum-Additional Mahila Court, Egmore and quash the same as against the petitioners.



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For Petitioners : Ms.G.Amala
For R1 : Mr.R.Vinothraja
Government Advocate (Criminal Side)
For R2 : Ms.D.Kamachi

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.56 of 2024, on the file of the Metropolitan Magistrate-cum-Additional Mahila Court, Egmore, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

2. Heard both sides and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.7 of 2024 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 498(A), 506(i) and 34 of IPC. After completion of investigation, a charge sheet was filed and taken cognizance of in C.C.No.56 of 2024 on the file of the Metropolitan Magistrate-cum-Additional Mahila Court, Egmore.



4. Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that the matter arises out of a matrimonial dispute and that on the advice of the elders, the parties have now amicably settled the issue among themselves. It is further submitted that the parties have also agreed to return the respective belongings and jewels to each other and the first petitioner and the second respondent have also agreed to file a divorce petition by mutual consent. Hence, they seek to quash the First Information Report as against the petitioners. Affidavits and a Memorandum of Understanding to that effect have also been filed.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Ms.P.Lakshmisri, WSSI, W7 AWPS.

6. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

7. The scanned copy of Memorandum of Understanding dated 12.11.2025 entered into between the parties is reproduced below:-



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Original Jurisdiction)

Cr.L.O.P.No. 30360 /2025

Against

C.C. No. 56 of 2024

(On the file of the Learned Metropolitan Magistrate, Additional Mahila Court, Egmore)

1. Immanuel Leeban M/A 28 yrs,
S/o. Ebran Joseph,
No. 8/56, Pillayar Kovil 4th Street,
Anumantha Nagar, Balakrishnapuram,
Dindugal - 05.
2. Ebran Joseph M/A 35 yrs,
S/o. Dharmaraj,
No. 8/56, Pillayar Kovil 4th Street,
Anumantha Nagar, Balakrishnapuram,
Dindugal - 05.
3. Kavitha F/A. 50 yrs,
D/o. Ebron Joseph,
No. 8/56, Pillayar Kovil 4th Street,
Anumantha Nagar, Balakrishnapuram,
Dindugal - 05.
4. Irudhaya Jesintha F/A 30 rs,
W/o. Sammuvel,
No. 32, Bharathi Nagar,
SVD Nagar, Kovilpapakudi, Madurai.
5. Andhoni @ Andhoni Raj M/A 50 yrs,
S/o. Raju,
No. 18, 10th Cross Street,
Trustpuram, Kodampakkam,
Chennai - 600024.
6. Prabha F/A 43 yrs,
W/o. Anthony,
No. 18, 10th Cross Street,
Trustpuram, Kodampakkam,
Chennai - 600024.

-VS-

....Petitioner/Accused

1. The Sub Inspector of Police,
AWPS-Anna Nagar Police Station,
Chennai

.....Respondent/Complainant



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2. Jebakani Ishwarya,
D/o. Vegatesh Natrajan,
No. 2/498, Jeba Cottage,
Bommi Nagar, 2nd Street, Narasingam Road,
Kaathakinaru Post, Madurai – 625107.
(Crime No. 07 of 2024)Respondent/Defacto Complainant

MEMORANDUM OF UNDERSTANDING ENTERED BETWEEN THE PARTIES.

The Petitioners and De-facto complainant respectfully submits that;

The 1st Petitioner's marriage was celebrated with the 2nd respondent/de facto complainant herein on 12.02.2023 at St. Anthonyar Church, Madurai as per Christian rites and customs. No child was born through this wedlock. They had some difference of opinion and quarrel between each other's families and they got separated during 21.01.2024. Further, they had filed cases against each other. After a brief compromise talks, the 1st Petitioner and the defacto complainant come to an amicable settlement and reduce it in written as follows:

The terms and conditions of the amicable settlements are as follows:

- a)** The 1st Petitioner agreed to pay a sum of Rs.21 lakhs (twenty one lakhs) as a full and final settlement for the 2nd Respondent.
- b)** The 1st Petitioner agreed to return all her jewellerys and belongings under his custody to the 2nd respondent herein.
- c)** The 2nd respondent agreed to return the belongings and Jewels of the 1st Petitioner to him.
- d)** The 1st petitioner and the 2nd respondent herein decided to file divorce petition under the ground of mutual consent before the concerned Family Court, Chennai.



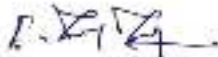
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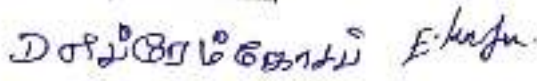
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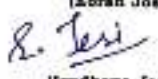
- e) The 2nd respondent should cooperate and give her consent for quashing the criminal complaint in CC No. 56 of 2024 on the file of the Metropolitan Magistrate cum Additional Mahila Court, Egmore.
- f) The 1st petitioner agreed to return the jewelleryes under his custody and Rupees 11 lakhs (eleven lakhs) to the 2nd respondent herein at the time of 1st hearing of the quash Petition.
- g) The 2nd respondent would return the belongings, Thalli, passport and etc... of the 1st Petitioner to him at the time of 1st hearing of the CrI.O.P.
- h) The 1st petitioner agreed to pay a balance sum of rupees 10 (Rupees Ten lakhs) at the time of 2nd motion of the CrI.O.P praying to file divorce under the ground of mutual consent.
- i) The 2nd respondent agreed to return 10 Sovereigns of chain of the 1st petitioner at the time 2nd motion of the O.P. for divorce.

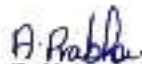
Dated at Chennai on this the 12th day of November, 2025.


(Immanuel Leeban)


(Jebakant Ishwarya)
DE-Facto complainant/2nd Respondent


(Ebran Joseph) (Kavitha)


(Anudhaya Jesintha) (Anudhaya) (Anudhaya)


(Prabha)


COUNSEL FOR PETITIONER


COUNSEL FOR 2ND RESPONDENT



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8. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

9. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court, in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat***, reported in ***2017 9 SCC 641***, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 BNSS), to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be quashed by this Court.



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10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the proceedings pending against the petitioners in C.C.No.56 of 2024 on the file of the Metropolitan Magistrate-cum-Additional Mahila Court, Egmore, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands disposed of and the proceedings in C.C.No.56 of 2024 pending on the file of the Metropolitan Magistrate-cum-Additional Mahila Court, Egmore, is quashed as against the petitioners, on condition that the petitioners shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.



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12. The affidavits and the Memorandum of Understanding filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

14.11.2025

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Neutral Citation: Yes/No

To

1. The Metropolitan Magistrate-cum-Additional Mahila Court, Egmore.
2. The Sub-Inspector of Police, AWPS – Anna Nagar Police Station, Chennai.
3. The Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai.
4. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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