



CrI.O.P.(MD)No.4772 and 9073 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.4772 of 2025

1. Jeyakumar
 2. Sundararajan
 3. Shanthi @ Arputha Marry
 4. Jenifer
 5. Banureka
- ... Petitioners/Accused Nos.1 to 5
Vs
1. The State of Tamilnadu,
Rep. by the Inspector of Police,
All Women Police Station,
Thanjavur.
Crime No.06/2023.
- ...1st Respondent/Complainant
2. Abinaya
- ... 2nd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the impugned FIR in Crime No.06 of 2023 on the file of the 1st respondent Police and quash the same.



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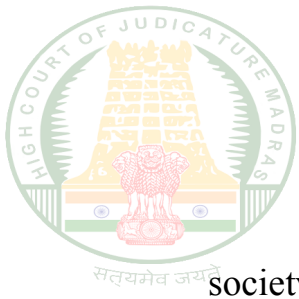
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For Petitioners : Mr.A.Arun Prasad,
For R1 : Mr.Kottaichamy
Government Advocate(CrI.Side)

ORDER

The petitioners are accused in Crime No.6 of 2023 on the file of the 1st respondent Police, which was registered for the offence under Sections 294(b), 498(A) and 506(2) IPC. They have filed this application to quash the proceedings pending against them, on the ground that the issue has been amicably settled among themselves.

2.The case has been registered for the offence under Sections 294(b), 498(A) and 506(2) IPC, out of which, the offence u/s.294(b), 498A IPC is non compoundable. However, the Hon'ble Supreme Court, in ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** [2017 9 SCC 641] and in ***The State of Madhya Pradesh Vs. Dhruv Gurjar and Another*** [(2019) 2 MLJ CrI 10], has given sufficient guidelines that must be taken into consideration by the Court while exercising its jurisdiction under Section 482 of Cr.P.C [528 BNSS], to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine whether the crime in question is purely individual in nature or a crime against the



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society with overriding public interest. It has been repeatedly cautioned that offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

3.The case of the prosecution is that the first petitioner and the second respondent/defacto complainant are husband and wife. From the date of marriage, the first petitioner allegedly insisted that the second respondent/defacto complainant, who is working as a Professor, should hand over her entire salary to his parents. When the defacto complainant objected to the same, quarrels ensued between them.

4. It is further alleged that petitioner Nos.2 to 5, who are the in-laws of the defacto complainant, harassed her by demanding additional dowry. Consequently, the defacto complainant went to her parental house. When her parents later went to the house of the first petitioner, the petitioners are alleged to have abused the defacto complainant in filthy language and attempted to assault her. Hence, the present case came to be registered.

5. Since the conflict is between the private individuals and not affecting the Society at large, this Court entertained this petition, ordered



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notice and also directed the investigation officer to ascertain as to whether the compromise arrived between the parties is a voluntary one, without any threat or coercion.

6. The petitioners and the defacto complainant are present before this Court today and submitted that on the intervention of the elders, they have amicably resolved their issue. To that effect, they have also filed a joint compromise memo dated 10.07.2025.

7. The investigation officer, after verification, has filed a report that the compromise arrived upon between the parties is genuine, without any threat or coercion.

8. This Court has verified the parties with their Aadhaar Cards and also verified as to the present status. The parties have expressed their willingness to solve the issue.

9. The Hon'ble Supreme Court, in ***Dr.Aravind Barsaul etc., v. State of Madhya Pradesh and Another*** [2008 AIR SCW 6814], while entertaining an appeal arising from the refusal to quash the proceedings



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registered for the offence u/s.498A IPC on the ground of compromise, has held as follows:-

“10.We have heard learned counsel for the parties at length. The parties have compromised and the complainant Smt.Sadhna Madhnawat categorically submitted that she does not want to prosecute the appellants. Even otherwise also, in the peculiar facts and circumstances of the case and in the interest of justice, in our opinion, continuation of criminal proceedings would be an abuse of the process of law. We, in exercise of our power under Article 142 of the Constitution, deem it proper to quash the criminal proceedings pending against the appellants emanating from the FIR lodged under Section 498-A IPC. The appeal is accordingly disposed of.”

10. In the case on hand, the offences are purely individual / personal in nature and the conflict is between the private individuals and it is not affecting the Society at large. It involves the petitioners and the 2nd respondent / defacto complainant and their respective families only. Quashing the case will not affect any overriding public interest. The defacto complainant herself has submitted that she does not want to prosecute the case any further. Under such circumstances, no useful purpose will be



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served in keeping the case pending, even though one of the offences involved is non compoundable in nature. On the other hand, keeping the proceedings pending will only swell the mental agony of the parties.

11. In view of the above position and following the guidelines issued by the Hon'ble Supreme Court in the cases referred supra, this Court is inclined to quash the proceedings, though one of the offences is non-compoundable, in order to avoid further conflict between the parties.

11. Accordingly, this original petition is allowed and the proceedings in Crime No.6 of 2023 on the file of the 1st respondent police is hereby quashed. The joint compromise memo dated 10.07.2025 signed by the parties, shall form part and parcel of this order.

01.08.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

Indu



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To

1. T Inspector of Police,
All Women Police Station,
Thanjavur.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

Indu

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