



CrI.O.P.(MD)Nos.6964 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2025

CORAM:

THE HONOURABLE **MR.JUSTICE P.DHANABAL**

CrI.O.P.(MD)No.6964 of 2025
and
CrI.M.P.(MD)No.5118 & 5119 of 2025

Lakshmi ... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by The Inspector of Police,
Thirumangalam Police Station,
Madurai District.
(Crime No.302 of 2021)

2. S.Prasanna ... Respondents 1&2 / Defacto
complainant

3. T.Jeyaprakash ... Respondent No.3 / Father of the
child

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records relating to the
petitioner in the final report in P.R.C.No.14 of 2025 on the file of the Judicial
Magistrate Court, Thirumangalam, Madurai District in Crime no.302 of 2021 on
the file of the 1st respondent police and Quash the same as illegal.



CrI.O.P.(MD)Nos.6964 of 2025

WEB COPY

For Petitioner : Mr.R.Udhayakumar
For Respondents : Mr.M.Vaikkam Karunanithi (R1)
Government Advocate
Mr.DAzhagumalai (R3)

ORDER

This petition has been filed by the petitioner to call for the records pertaining to P.R.C.No.14 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, Madurai District for the offences under Sections 304(2) of IPC in Crime No.302 of 2021 and quash the same.

2. Based on the complaint given by the defacto complainant, the police has registered FIR in Cr.No. 302 of 2021 for the offences under Sections 302 @ 304(2) of IPC.

3. When the matter was taken up for hearing, the learned counsels on both sides represented that during pendency of the case in P.R.C.No.14 of 2025, the



CrI.O.P.(MD)Nos.6964 of 2025

WEB COPY

matter has been amicably settled between the parties and to that effect, they have entered into a compromise and the same was filed before this Court.

4. Today, the defacto-complainant and the accused and the third respondent, who is the aggrieved party, are present and the Court enquired about the terms of compromise. The defacto-complainant represented that the third respondent and the petitioner entered into a compromise as they are husband and wife and hence, the defacto complainant has no objection to quash the charge sheet. A compromise memo, dated 15.04.2025 signed by the parties and their respective counsels, is also filed before this Court.

5. This Court has perused the terms of the compromise memo.

6. In this case the petitioner being the mother of the deceased, due to family circumstances, in order to commit suicide, jumped into well along with her child and after seeing the same the villagers rescued the petitioner but child died due to drowning. Hence the second respondent lodged a complaint against



CrI.O.P.(MD)Nos.6964 of 2025

WEB COPY

the petitioner, who is the mother of the deceased child. The first respondent also conducted investigation and filed final report. Even as per the FIR and final report, there are only heresay evidences and no direct or circumstantial evidence as against the petitioner. Except the confession statement of the petitioner before the police during investigation, no other material available to constitute the offence under Section 304(2) of IPC. In the mean time, the defacto complainant who is the husband of the petitioner and the other children are residing as one family and they entered into compromise with the petitioner. Though the offence is serious in nature without any *prima facie* material and after compromise between the parties, the trial proceedings are only futile exercise.

7. Considering the nature of the offences, the relationship between the parties and the petitioner has other children and the parties have also entered into a compromise, it is appropriate to allow this petition.

8. Recording the said compromise memo, this petition is allowed and



CrI.O.P.(MD)Nos.6964 of 2025

WEB COPY

P.R.C.No.14 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, Madurai District is quashed. Consequently, connected miscellaneous petitions are closed.

17.04.2025

Neutral Citation: Yes / No
Index : Yes / No
sm



CrI.O.P.(MD)Nos.6964 of 2025

WEB COPY

TO:-

1. The Judicial Magistrate Court, Thirumangalam, Madurai District.
2. The Inspector of Police,
Thirumangalam Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CrI.O.P.(MD)Nos.6964 of 2025

P.DHANABAL, J.

sm

Order made in
CrI.O.P.(MD)No.6964 of 2025

Dated:
17.04.2025