



Crl.O.P.(MD)No.8341 of

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

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CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.8341 of 2025

1.R.Suguna

2.Ramalingam

.... Petitioners

Vs

1.State of Tamil Nadu rep. by its,
The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.
(In Crime No.23 of 2022)

2.Saranya

.... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records pertaining to the proceedings in C.C.No.69 of 2023 on the file of the learned Judicial Magistrate Additional Mahila Court, Ramanathapuram, Ramanathapuram District and quash the same as against the petitioner.

For Petitioners : Mr.R.Balamuruganantham
For Respondents : Mr.A.S.Abul Kalaam Azad (for R1)
Government Advocate(Crl.side)
Mr.UM.Berdinvinodh (for R2)



ORDER

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2.The final report has been filed for the offence u/s 498(A), 406, 294(b) and 506(i) of IPC and Section 4 of TNPWH Act and Section 4 of DP Act of which, the offence u/s. 294(b) and 498A IPC, Section 4 of TNPWH Act and Section 4 of DP Act 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 Crl 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, to quash non-compoundable offences. One very important test that has been



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laid down is that the Court must necessarily examine whether the crime in question is purely individual in nature or a crime against the 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. Here, the prosecution case is that the petitioners are the mother-in-law and father-in-law of the second respondent/defacto complainant. The marriage between the petitioners' son and the second respondent/defacto complainant has been solemnized on 03.09.2021. At the time of marriage, the parents of the second respondent gave 20 sovereign of gold jewels and sridhana articles worth about Rs.3 lakhs as dowry to the petitioners' son. Thereafter, the petitioners and her husband and other in-laws had demanded additional dowry and threatened her for divorce. Hence, the present case in Crime No.23 of 2022, has been registered against them. Therefore, the complaint came to be lodged and final report has also been filed after investigation.

4.It is reported by the learned counsel appearing for the petitioners that the petitioners are mother-in-law and father-in-law of the second



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respondent/defacto complainant and this Court vide order dated 29.04.2025, in Crl.O.P.(MD).No.7864 of 2025, already quashed the proceedings in CC.No.69 of 2023 pending on the file of the learned Judicial Magistrate Additional Mahila Court, Ramanathapuram, Ramanathapuram District, as against the A1/husband of Second respondent/defacto complainant.

5. Since the conflict is between the private individuals and not affecting the Society at large, this Court entertained this petition, ordered 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 02.06.2025.

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.

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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 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.”



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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 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 and this Court vide order dated 29.04.2025, in Crl.O.P.(MD).No.7864 of 2025, already quashed the proceedings in CC.No.69 of 2023 pending on the file of the learned Judicial Magistrate Additional Mahila Court, Ramanathapuram, Ramanathapuram District, as against the A1/husband of Second respondent/defacto complainant, this Court is inclined to quash the proceedings, though certain offences are non-compoundable,



in order to avoid further conflict between the parties.

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12. Accordingly, this original petition is allowed and the proceedings in CC.No.69 of 2023 on the file of the learned Judicial Magistrate Additional Mahila Court, Ramanathapuram, Ramanathapuram District, is hereby quashed. The joint compromise memo dated 02.06.2025 signed by the parties, shall form part and parcel of this order.

27.06.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

vsg

To

- 1.The learned Judicial Magistrate
Additional Mahila Court,
Ramanathapuram,
Ramanathapuram District .
- 2.The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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