



CrIOP(MD)No.10871 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrIOP(MD)No.10871 of 2025

- 1.Muniyasami
- 2.Nagalakshmi
- 3.Chinnaponnu
- 4.Murugeswari
- 5.Velmurugan
- 6.Sundarraaj
- 7.Jeya

... Petitioners

Vs

- 1.The State of Tamil Nadu
The Inspector of Police,
All Women Police Station,
Madurai District.
[Crime No.15 of 2022]

- 2.Shalini

... Respondents

The Criminal Original Petition filed under Section 528 BNSS, to call for the records relating to the impugned charge sheet in CC.No.182 of 2022 before the Judicial Magistrate Melur Court, Madurai and quash the same.

For Petitioners : Mr.K.Palmurugan

For R1 : Mr.A.S.Abul Kalaam Azad
Government Advocate(Crl.side)

For R2 : Mr.K.Yasar Arafath



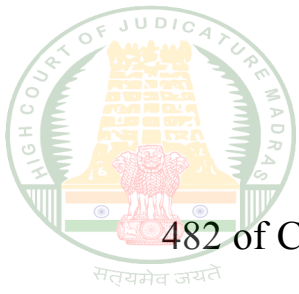
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ORDER

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The petitioners are accused in CC.No.182 of 2022 pending on the file of the learned Judicial Magistrate, Melur, Madurai and they are facing the charges for the offence under Sections 498(A) and 506(1) IPC, Section 4 of the Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. 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 final report has been filed for the offence u/s Sections 498(A) and 506(1) IPC, Section 4 of the Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 of which, the offence under Section 498(A) IPC, Section 4 of the Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 are 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



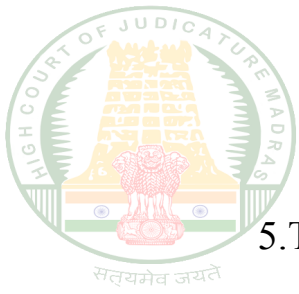
482 of Cr.P.C, to quash non-compoundable offences. One very important test

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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 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 2nd respondent the defacto complainant is the wife of the 1st petitioner. Others are the in-laws of the defacto complainant. She married the 1st petitioner on 27.02.2020 and thereafter they lived in the 7th accused's home. While so the 1st accused at the instigation of the other accused, tortured and often gave life threat to the defacto complainant and demanded dowry from her family. Hence the case came to be registered.

4. 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.



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5.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 20.06.2025.

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

7.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.

8. 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



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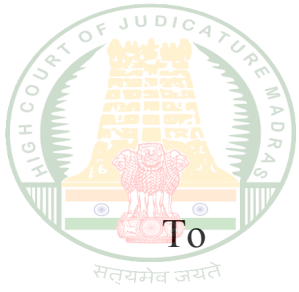
in keeping the case pending, even though certain offences involved are non compoundable in nature. On the other hand, keeping the proceedings pending will only swell the mental agony of the parties.

9. 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 certain offences are non-compoundable, in order to avoid further conflict between the parties.

10. Accordingly, this original petition is allowed and the proceedings in CC.No.182 of 2022 on the file of the learned Judicial Magistrate, Melur is hereby quashed. The joint compromise memo dated 20.06.2025 signed by the parties, shall form part and parcel of this order. Consequently connected miscellaneous petition is closed.

04.07.2025

DSK



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1. The Judicial Magistrate,
Melur.

2. The Inspector of Police,
All Women Police Station,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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