



Crl.O.P.(MD)No.15385 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15385 of 2025

1. Kesavan
2. Pushba
3. Karthi
4. Santhiya
5. Mohanasundaram

... Petitioners/Accused Nos.1 to 5

Vs.

1.The State through
The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
(in Cr.No.218 of 2022)

2. Vithyasri

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for records pertaining to the S.C.No.79 of 2022 pending on the file of the learned Principal District Judge, Karur dated 28.10.2022 and quash the same as against the petitioner.

For Petitioner	: Mr. S.Gokulraj
For R-1	: Mr.K.Sanjai Gandhi Government Advocate (Crl.Side)
For R2	: M/s.S.Prabha



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ORDER

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This petition has been filed to quash the impugned Charge Sheet filed in Special S.C.No.79 of 2022 on the file of the learned Principal District Judge, Karur for the offences punishable under Sections 341, 294(b), 323, 355, 354, 506(i) of IPC and Sections 3(1), (xi) 3(1)(w), 3(i)(w), (ii), 3(1)(s), 3(2) (va), 3(2) (v) of SC/ST Act @ into sections 341, 294(b), 323, 355, 354, 506(i) and 376 of IPC and Sections 3 (1), (xi), 3(1)(w), 3(i) (w), (ii), 3(1)(s), 3(2), (va), 3(2)(v) of SC/ST Act.

2. The allegation against the first petitioner is that he and the defacto-complainant had a love affair; that the first petitioner on the promise to marry the defacto-complainant had sexual intercourse with her; that thereafter the first petitioner refused to marry the defacto-complainant; that when the defacto-complainant requested the first petitioner and his family members for solemnizing the marriage, they abused her by using her caste name and thus, they committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations would not attract any of the offences and that in any case the parties have entered into a compromise and prayed for quashing of the proceedings.

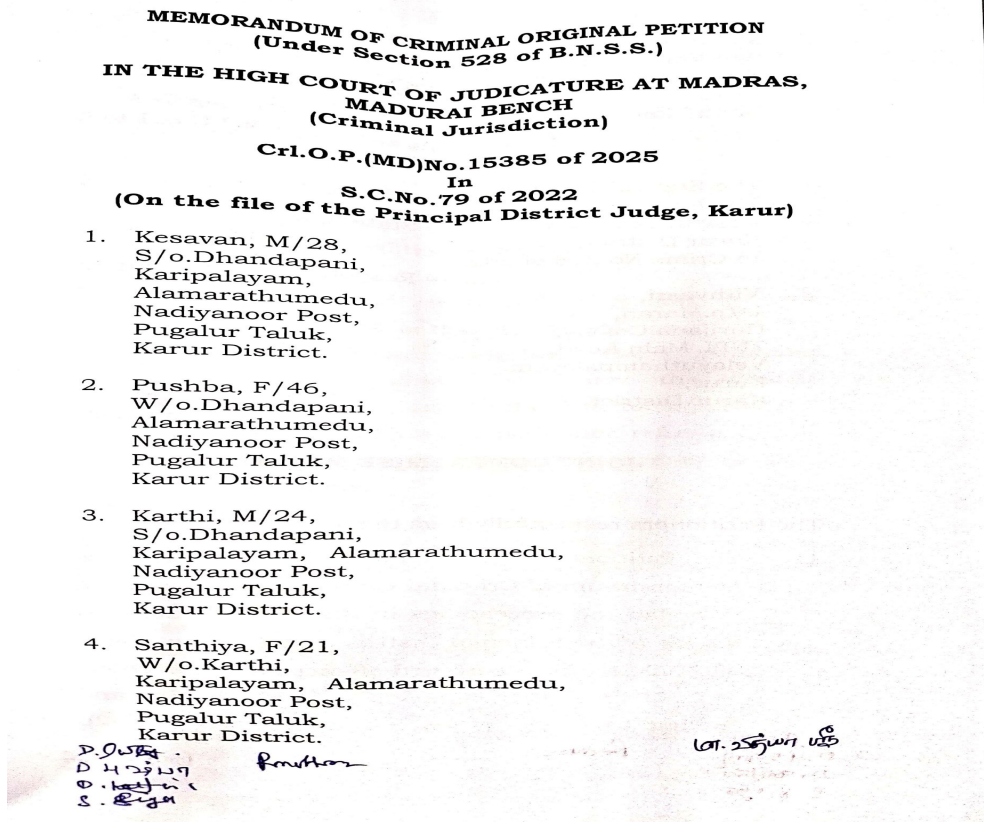


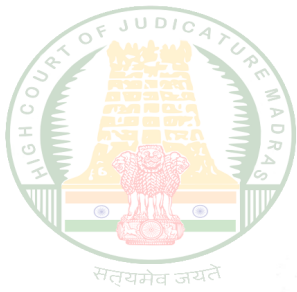
Crl.O.P.(MD)No.15385 of 2025

The learned Counsel for the second respondent would confirm that the second respondent does not wish to pursue the proceedings.

4. The learned Government Advocate (Crl.side) appearing for the first respondent would submit that though the second respondent has received the compensation of Rs.1,87,500/-, the second respondent remitted back the said amount to the Adi Dravidar and Tribal Welfare Department.

5. The parties have filed a joint compromise memo dated 23rd September 2025 and the scanned copy of the compromise memo reads as follows:





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8.

5. Mohanasundaram, M/53,
S/o.Ramasamy,
No.268/H1, Balaji Nagar,
Velur,
Namakkal District. ... Petitioners/
Accused Nos.1 to 5
- Vs. -

1. The State of Tamil Nadu,
The Inspector of Police,
Velayuthampalayam Police Station,
Karur District,
In Crime No.218 of 2022.
... 1st Respondent/Complainant
2. Vithyasri,
D/o.Maran,
Harijana Colony,
TNPL Main Road,
Velayuthampalayam,
Karur,
Karur District. ... 2nd Respondent
/Defacto Complainant

JOINT COMPROMISE MEMO

The Petitioners respectfully begs to submit as follows:

1. The Petitioners above named beg to prefer this Memorandum of Criminal Original Petition praying to quash the proceedings in S.C.No.79 of 2022 on the file of the Principal District Judge, Karur, dated 28.10.2022, for the alleged offences under Sections 341, 294(b), 323, 355, 354, 506(i) of IPC and Section 3 (1), (xi), 3(1)(w), 3 (i) (w), (ii), 3(1) (s), 3 (2),

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D. P. S.
D. P. S.
S. P. S.

R. S. S.

10. 2. 2025



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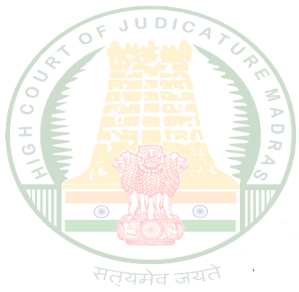
(va), 3(2) (v) of SC/ST Act, @ into Sections 341, 294(b), 323, 355, 354, 506(i) and 376 of IPC and Section 3 (1), (xi), 3(1)(w), 3 (i) (w), (ii), 3(1) (s), 3 (2), (va), 3(2) (v) of SC/ST Act, on 22.05.2022 in Crime No.218 of 2022 as against the petitioners herein.

2. It is submitted that to avoid unpleasant situation, the Petitioners and the defacto-complainant had amicably resolved their disputes.
3. It is submitted that the allegation of the prosecution case is that the 1st petitioner and the defacto complainant fall in love. The 1st petitioner had given assurance to marry the defacto complainant and married the defacto complainant. After some time the 1st petitioner refused to live together with the defacto complainant by abusing her caste name.
4. It is submitted that the Petitioners and the defacto-complainant are known to each other and belongs to same village. Further, to avoid unpleasant situation, the Petitioners and the defacto-complainant, by considering the welfare of both the parties and at the intervention of well-wishers they had amicably resolved their disputes. Further, the defacto-complainant agreed to withdraw the case

P. R. Srinivasan
D. 24.05.2024
D. 24.05.2024
D. 24.05.2024

P. R. Srinivasan

Dr. S. Srinivasan



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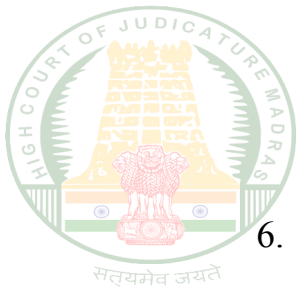
as against the Petitioners. It is pertinent to mention that the defacto-complainant voluntarily arrived consensus for withdrawal of the said case and they have assured that no undue influence or coercion had taken place at the instance of the Petitioners.

In the above circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to record the joint compromise memo in Crl.O.P.[MD]No.15385 of 2025 on the file of this Hon'ble Court against S.C.No.79 of 2022 on the file of the Principal District Judge, Karur, dated 28.10.2022, and quash the above said proceedings and thus render justice.

Dated at Madurai, this day of September, 2025.
D. 01/09/25 *[Signature]*
D. 01/09/25
D. 01/09/25
Petitioners/Accused 2nd Respondent
/Defacto Complainant

[Signature]
500/05
Counsel for Petitioners
S. GOVILRAJ. BBA-BL
Central Law college
Salem. No.30, Law
Chamber, High Court,
Madurai-23
9842939344

[Signature]
101-25/09/25
Counsel for 2nd Respondent
S. PRABHA. BABL
Govt. Law college Madurai
No. 148, Law Chamber,
High Court, Madurai-23
6381708783



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6. The petitioners, namely, Kesavan (Aadhaar No.3838 5156 8121), T.Pushpa (Aadhaar No.7557 0499 7402), M.Karthi (Aadhaar No.7089 4585 7838), S.Santhiya (Aadhaar No.5209 1793 8233) and R.Mohanasundaram (Aadhaar No.6774 0411 9946) and the second respondent, namely, M.Vithyasri (Aadhaar No.3453 6393 5543) are present before this Court in person. They are identified by Mr.T.Kannan, Special Sub Inspector of Police, Velayuthampalayam Police Station, Karur District. All the parties confirmed the compromise arrived at between them.

7. In view of the same and considering the nature of the offences and the relationship between the parties, this Court is of the view that no useful purpose would be served by keeping the impugned final report pending trial. Accordingly, the impugned final report in S.C.No.79 of 2022 dated 28.10.2022 on the file of the learned Principal District Judge, Karur is quashed and the Criminal Original Petition stands allowed.

23.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To



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SUNDER MOHAN, J.

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- 1.The Principal District Judge, Karur
2. The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD).No.15385 of 2025

23.09.2025