



Crl.O.P.(MD)No.15434 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.15434 of 2025

Selvakumar

... Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2.The State Rep by
The Sub Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.
(Crime No.240 of 2024)

... Respondent/Complainant

3.Maheshwari

...3rd Respondent/Defacto
Complainant

4.Dhanalakshmi

...4th Respondent/Victim

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in S.C.No.58 of 2025 on the file of II Additional District and Sessions Court (PCR), Tirunelveli and quash the same.

For Petitioner : Mr.A.Sivasubramanian

For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R-3 & R-4 : Mr.S.Ahamed Ashif Ali



Crl.O.P.(MD)No.15434 of 2025

WEB COPY

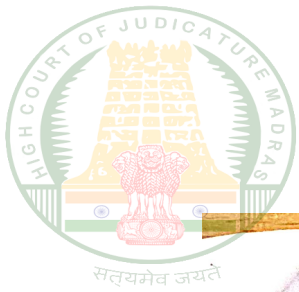
ORDER

The petitioner seeks quashing of the final report in S.C.No.58 of 2025 on the file of II Additional District and Sessions Court (PCR), Tirunelveli, for the alleged offences under Section 296(b), 109, 351(3) of BNS, 2023, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, 3(1)(r), 3(1)(s), 3(2)(va), 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989.

2. The allegation in the final report is that due to matrimonial dispute, the petitioner attacked his wife, defacto complainant with a knife and caused injuries besides causing injury to her mother, who is the other victim in this case.

3. The parties namely the petitioner, the defacto complainant and the other victim have arrived at a compromise and filed a joint compromise memo.

4. The scanned copy of the joint compromise memo dated 16th September 2025, reads as follows:



Crl.O.P.(MD)No.15434 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH

Crl.O.P.(MD). 15434 of 2025
In

CC. No. 279 of 2024
(On the file of the II Additional District & Sessions(PCR) Court,
Tirunelveli District)

Selvakumar(M/ 27)
S/o. Rajkumar,
No. 1/51, North street,
Periyasamipuram,
Thoothukudi District.

..... Petitioner / Sole Accused

-Vs-

1. The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2. The State Rep. by
Sub Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.
(Crime No. 240 of 2024)

...Respondent/ Complainant

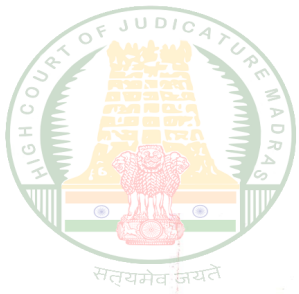
3. Maheshwari (F/25),
W/o Selvakumar,
No. 1/51, North street,
Periyasamipuram,
Thoothukudi District.

At Present Residing at :
65/59, Gandhinagar Colony,
Arasanarkulam

... 3rd Respondent/ Defacto complainant

R. Mahalingam

S. Maheshwari
S. Phandakshi



WEB COPY



Crl.O.P.(MD)No.15434 of 2025

4. Dhanalakshmi (F/47),
W/o Ashok Kumar,
65/59, Gandhinagar Colony,
Arasanarkulam

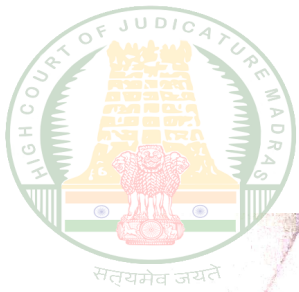
... 4th Respondent/ Victim

JOINT COMPROMISE MEMO

1. The petitioner and 3rd respondent submit that at the instance of the 3rd respondent the above said case was registered in Crime No. 240 of 2024 on the file of the 1st Respondent Police under Section 296(b), 109, 351(3) of BNS, section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 and section 3(1)(r), 3(1)(s), 3(1)(v a), and 3(1)(v) of SC/ST (Prevention of Atrocities) Act is pending against the petitioner.
2. The petitioner and the 3rd respondent further submit that during the pendency of the proceedings, the 3rd respondent was advised by the elders of the family and also relatives. The 3rd respondent and 4th considering the welfare of 3rd respondent's children and Petitioner being 3rd respondent's husband and 4th respondent's son-in-law and in order to lead the 3rd respondent's and Petitioner's matrimonial life, the 3rd and 4th respondents peacefully has agreed to say no objection for the purpose of quashing the present criminal proceedings.
3. The petitioner as well as the 3rd respondent and 4th respondent jointly submits that such compromise has been taken place purely voluntary by the parties concerned. Hence in order to avoid further ordeal of further proceedings, they are prepared to be present before this Hon'ble Court whenever it is required. This Hon'ble Court by taking into consideration of the said aspect with regard to the compromise and in the interest of the parties, can leniently look into the present issue, as such the prayer

S. Maheshwari
S. Dhanalakshi

R. Dhanalakshi



Crl.O.P.(MD)No.15434 of 2025

WEB COPY

-3-
sought for by the petitioner can be allowed. This Hon'ble Court and the Hon'ble Apex Court has repeatedly held that no useful purpose will be served in further proceeding with the case when the case has been settled between the parties.

The Petitioner as well as the 3rd and 4th Respondent jointly pray that this Hon'ble Court TO CALL FOR the records in CC No. C.C. No. 279 of 2024 on the file of II Additional District & Sessions Court(PCR), Tirunelveli to record the Joint Compromise Memo and pass suitable orders and thus render Justice.

Dated at Madurai on this the 15th day of September, 2025.

S. Maheshwari

(3rd Respondent\ De facto complainant)

R. Dhanasekaran

(Petitioner / 1st Accused)

S. Phanebakshi

(4th Respondent/Victim)

A. S. Sankar

Counsel for 3rd and 4th Respondent

A. S. Sankar

Counsel for Petitioner



Crl.O.P.(MD)No.15434 of 2025

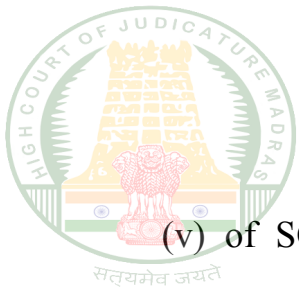
WEB COPY

5. The defacto complainant, namely Maheshwari, wife of the petitioner is present before this Court in person and confirms the compromise and submits that she is living with the petitioner for the past ten months.

6. The petitioner, Selvakumar, defacto complainant, Maheshwari and the victim, Dhanalakshmi, are present before this Court in person. They are identified by M/s.N.Rajakumari, Inspector of Police, Moolakaraipatti Police Station, Tirunelveli District. All the parties confirmed the compromise arrived at between them.

7. Though there are allegations of the offence under Section 109 of the BNS Act, considering the fact that the dispute is between the husband and wife, they are now living together; and they have two children, this Court is of the view that the continuation of the impugned prosecution will cause serious hardship to the petitioner and the defacto complainant. Hence, the impugned proceedings are liable to be quashed and accordingly, final report in S.C.No.58 of 2025 is quashed.

8. At this stage, the learned Additional Public Prosecutor would submit that since the case was registered under sections 3(1)(r), 3(1)(s), 3(2)(va), 3(2)



Crl.O.P.(MD)No.15434 of 2025

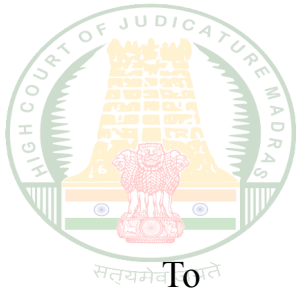
(v) of SC/ST (Prevention of Atrocities) Act, 1989, a compensation of Rs. 3,18,000/- was given to the defacto complainant.

9. This Court is of the view that the said compensation is liable to be returned to the concerned Department. Therefore, the defacto complainant, who has received the compensation is directed to deposit the said amount into the account of the concerned department within a period of four weeks from the date of receipt of a copy of this order, failing which, the order passed by this Court quashing the proceedings shall stand vacated without reference to this Court.

10. The Criminal Original Petition stands allowed.

17.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sn



Crl.O.P.(MD)No.15434 of 2025

To

WEB COPY

- 1.The II Additional District and Sessions Court (PCR),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.
- 3.The Sub Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.15434 of 2025

SUNDER MOHAN, J.

Sn

Crl.O.P(MD).No.15434 of 2025

17.09.2025