



CrI.O.P.(MD)No.16729 & 13444 of 2025 & 930 of 2024 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD).No.16729 & 13444 of 2025 & 930 of 2024
& CrI.M.P.(MD)Nos.600, 601 of 2024, 10686, 10688, 13664 & 13666 of 2025

CrI.O.P.(MD).No.16729 of 2025

R.Shanjaipriyan

... Petitioner / 1st Accused / 1st Accused

Vs.

1.The State of Tamil Nadu,
represented through,
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.107/2016)

... 1st Respondent/Complainant/Complainant

2.Senthil Nathan

...2nd Respondent/Defacto Complainant/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the case in P.R.C.111 of 2023 on the file of the Judicial Magistrate, Thirumangalam in crime No. 107 of 2016 on the file of the 1st respondent Police and quash the same as illegal.

For Petitioners : Mr.S.Praveennath

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (CrI. Side)

For R-2 : Mr.R.Sundar



Crl.O.P.(MD)No.16729 & 13444 of 2025 & 930 of 2024 of 2025

Crl.O.P.(MD).No.13444 of 2025:-

- 1.Mayavatharan
- 2.Senthilnathan
- 3.Ganesan

... Petitioners / Accused No.1 to 3

Vs.

- 1.The State of Tamil Nadu, represented through,
The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.137/2016)

... 1st Respondent/Complainant

- 2.Rajendran

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in S.C.No.690 of 2023 on the file of the IV Additional District and Sessions Court, Madurai and quash the same.

For Petitioners : Mr.R.Sundar

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R-2 : Mr.Praveennath Selvam

Crl.O.P.(MD).No.930 of 2024:-

- 1.Shalini Priyanka
- 2.Vijay Baskar
- 3.Rajendran
- 4.Ramela

... Petitioner / Accused 2 to 5

Vs.

- 1.The State through,
The Inspector of Police,
Thirumangalam Police Station,
Madurai District.
(Crime No.107/2016)

... 1st Respondent/Complainant



Crl.O.P.(MD)No.16729 & 13444 of 2025 & 930 of 2024 of 2025

2.Senthilnathan

...2nd Respondent/Defacto Complainant

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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in PRC No.111/2023 on the file of the Learned Judicial Magistrate, Thirumangalam, Madurai, Madurai District and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.S.Praveennath Selvan
For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)
For R-2 : Mr.R.Sundar

ORDER

The Criminal Original Petitions in Crl.O.P(MD) Nos.16729 of 2025 and 930 of 2024 have been filed by the accused, who are facing trial in P.R.C.No. 111 of 2023 on the file of the learned Judicial Magistrate, Thirumangalam, Madurai District, for the offences under Sections 306 and 498(A) IPC. The allegation in the impugned final report is that the sister of the defacto complainant, unable to bear the humiliation and torture of the petitioners on account of dowry demand, had committed suicide by setting fire to herself by pouring kerosene and thus, the petitioners are liable for the offences under Sections 306 and 498(A) IPC.



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2. The Criminal Original Petition in Crl.O.P(MD) No.13444 of 2025 has been filed by the accused, who is facing trial in S.C.No.690 of 2023 of the file of the IV Additional District and Sessions Court, Madurai, for the offences under Sections 452, 307 of IPC and Section 3(1) of TNPPDL Act, 1992. The allegation in the impugned final report is that the accused, who is the defacto complainant in P.R.C.No.111 of 2023, enraged by the death of his sister, attacked the defacto complainant with a stick and attempted to commit murder besides committing the offence of trespass and causing damage to the private property of the defacto complainant.

3. Admittedly, the defacto complainant in both the cases are related through the marriage of the deceased with the first accused in P.R.C.No.111 of 2023. The parties have arrived at a compromise. Though the petitioners 1 and 2 in Crl.O.P(MD) No.930 of 2024 have not signed the memo of compromise, the defacto complainant would state that he does not wish to pursue the complaint against all the accused.

4. The defacto complainant in both the cases are present before this Court in person and identified by Mr.P.Sivakumar, Special Sub Inspector of Police, Thirumangalam Town Police Station, Madurai District. They confirm the compromise and state that they have no objection for quashing the sessions



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5. This Court is of the view that the compromise arrived at between the defacto complainant and the other accused in P.R.C.No.111 of 2023 would also enure to the benefit of A2 and A3. It is well settled that an offence under Section 306 IPC cannot be quashed ordinarily on the ground of compromise. However, in the instant case, the allegation is that due to alleged matrimonial difference and cruelty, the sister of the defacto complainant in P.R.C.No.111 of 2023 committed suicide. The Revenue Divisional Officer, who conducted enquiry, had stated that there was no dowry harassment on the side of the petitioners.

6. The allegation only discloses the matrimonial differences between the petitioner in Crl.O.P(MD) No.16729 of 2025 and the deceased. The allegations, therefore, do not suggest that the deceased was subjected to cruelty of such a kind that she had no option except to commit suicide. Be that as it may, the parties have now arrived at a compromise. Similarly, though the victim's brother is accused of the offence under Section 307 of IPC, the nature of the weapon (stick) and the injuries would suggest that the offence under Section 307 of the IPC would not be made out. The Hon'ble Supreme Court in the case of *Naushey Ali v. State of U.P.*, (2025) 4 SCC 78, held as follows:



31. We are also inclined to conclude that considering the overall circumstances, the nature of the weapon and the nature of the injury (fracture of the head of distal phalanx of left ring finger), the offence alleged, on facts, does not fall in that category of cases where the court should deny relief in the event of a settlement. At the highest, the offence alleged could be one under Section 326IPC. It could not be said, on facts, considering all the circumstances that this is a crime which has such an harmful effect on the public and that it has the effect of seriously threatening the well-being of the society. We make it clear that we are saying so on the facts of the present case.

32. We are also firmly of the opinion that proceeding with the trial, when the parties have amicably resolved the dispute in the present case, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings. It would be a grave abuse of process to let this trial remain pending under the above circumstances, particularly when the dispute is settled and resolved.

7. Considering the nature of allegations and the fact that the compromise has been arrived at between the parties, this Court is of the view that no useful purpose would be served in keeping the impugned proceedings pending trial. Similarly, in the prosecution under Section 307 IPC, it is seen that the victim had not sustained any injury. Considering the said fact and the nature of allegation, this Court is inclined to quash the said proceedings as well.



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8. With the above reasons, the impugned proceedings in S.C.No.690 of 2023 of the file of the IV Additional District and Sessions Court, Madurai and P.R.C.No.111 of 2023 on the file of the learned Judicial Magistrate, Thirumangalam, Madurai District, are quashed as against all the accused. Accordingly, the Criminal Original Petitions are allowed. The joint compromise memos, dated 07.10.2025 and 26.09.2025 shall form part of the order.

9. The petitioners in Crl.O.P(MD) Nos.930 of 2024 and 16729 of 2025 shall pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) jointly and the petitioners in Crl.O.P(MD) No.13444 of 2025 shall pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) as costs to the Mediation and Conciliation Centre attached to this Bench forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

08.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Indu/Ars



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To

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



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SUNDER MOHAN, J.

Indu

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&930 of 2024 of 2025**

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