



CRL OP(MD). No.17011 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 31.10.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL.O.P(MD) No.17011 of 2025

and

CrI.M.P.(MD).No.13821 and 13823 of 2025

1.S.Venkatprabhu

2.G.Shanmugam

3.A.Senthil Kumar

... Petitioners

Vs

1.The State of Tamil Nadu,

Rep. by the Inspector of Police,

All Women Police Station,

Theni.

(Crime No.8 of 2021).

2. Santhi

... Respondents



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Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the Charge Sheet in C.C.No.15 of 2022 pending on the file of the Additional Mahila Court (J.M.Level), Theni, in Crime No.8 of 2021, dated 15.04.2021, for the alleged offence under Sections 498(A), 294(b), 494, 323, 34, 406 and 506(i) of IPC and Section 4 of Tamilnadu Prevention of Harassment Women Act and quash the same as illegal as far as the petitioners are concerned.

For Petitioners : Mr.T.Thirumurugan

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For R2 : Mr.T.Balakrishnan

ORDER

The petitioners seek to quash the impugned Charge Sheet in C.C.No.15 of 2022 pending on the file of the Additional Mahila Court (J.M.Level), Theni, in Crime No.8 of 2021, dated 15.04.2021, for the alleged offence under Sections 498(A), 294(b), 494, 323, 34, 406 and 506(i) of IPC and Section 4 of Tamilnadu Prevention of Harassment Women Act and quash the same as illegal as far as the petitioners are concerned.



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2.The gist of the allegation in the final report is that the first petitioner is the husband of the defacto complainant had committed cruelty in connection with dowry demand and that during the subsistence of the first marriage, he had married the second accused and that the petitioners 2 and 3, who are accused Nos.3 and 4 had abetted the commission of the offences by the first accused/1st petitioner.

3.The learned counsel for the petitioners and the learned counsel for the defacto complainant/the second respondent would submit that the dispute is between the husband and the wife and that the parties have now entered into a compromise on the advise of the elders and well-wishers and both the parties have agreed that the impugned final report may be quashed.

4.The parties have also filed a joint compromise memo. The scanned copy of the compromise memo reads as follows:



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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Criminal Original Jurisdiction)
Crl.O.P.(MD) No.17011 of 2025**

-Against-

C.C. No.16 of 2022

(On the file of Additional Mahila Court (J.M.Level), Theni)

-In-

Crime No.8 of 2021

(On the file of the Respondent No.1 Police)

1. Dr.S.Venkatprabhu, (M/57/2025)
S/o. A.Sethuraman,
No.3/423, Kurumbapatti Road,
Kunnuvarenikottai,
Nilakottai Taluk,
Dindigul District.
2. G.Shanmugam, (M/35/2025)
S/o Ganesan,
No.15, A/52, Annaparaja Mandapam Street,
Forrest Road,
Theni District.
3. A.Senihil Kumar, (M/51/2025).
S/o Annakodi,
High School Main Road,
Alli Nagarani,
Theni District. ...Petitioners/Accused Nos.1,3 and 4.

-Vs-

1. State represented by
The Inspector of Police,
All Women Police Station,
Theni. ...1st Respondent/Complainant
(Crime No.8 of 2021).
2. Santhi (P/52/2025)
W/o Venkat Prabhu,
No.14/1, Bharathiyar Main Road,
NRT Nagar,
Theni. ...2nd Respondent/Defacto Complainant.

Sv. Shanmugam

G. Shanmugam

G. Shanmugam

A. Senihil Kumar



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JOINT COMPROMISE MEMO

It is submitted that both the parties hereby enter into a compromise and agree on the following terms.

1. That Petitioners were filed Criminal Original Petition in Crl.O.P(MD).No. 17011 of 2025 and praying this Hon'ble Court to call for the records pertaining to the Impugned charge sheet in C.C.No.15 of 2022 on the file of the Learned Additional Mahila Court (J.M Level), Theni, in Crime No.8 of 2021 dated 15.04.2021 for an alleged offence under Section 498A, 294(b), 494, 323, 34, 406 and 506(i) of IPC and Section 4 of Tamilnadu prevention of Harassment of Women Act and same is pending to this Hon'ble Court.
2. That the case of the prosecution is that on 17.03.2021, the Respondent No.2 had lodged a complaint before the Respondent No.1 and mentioned in her complaint that the 1st petitioner had married her on 07.06.1998 and there was a dispute arrows between them and the 1st petitioner and others were abused and threaten her with direct consequence on 15.03.2021 and 16.03.2021.
3. On the basis of said complaint on 15.04.2021 the FIR has been registered against the Petitioner No.1 and others including the Petitioner for the offences under Sections 498 (A), 294 (b), 494, 323, 34, 406 and 506 (i) of IPC and Section 4 of Tamilnadu Prevention of Harassment Women Act. Subsequently the charge sheet was also filed against the Petitioner No.1 for the offences under Sections 498 (A), 294 (b), 494, 323, 34, 406 and 506 (i) of IPC and Section 4 of Tamilnadu Prevention of Harassment Women Act and against Petitioner No.2 for the offences under Sections 294(b), 34, and 506 (i) of IPC and Section 4 of Tamilnadu Prevention of Harassment Women

[Signature]

[Signature]

Gr. Shetty, P.S. [Signature]



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3. Act respectively and the Accused No.2 for the offense under Section 34 of IPC in C.C.No.15 of 2022 pending before the Additional Mahila Court (J.M.Level), Theni.
4. Against the charge sheet, the Accused No.2 already filed a Quash Petition and the same is pending before this Hon'ble Court in CrLO.P(MD)No.14457 of 2023.
5. In the meantime, the entire issue has been settled between the parties amicably, since it is a matrimonial dispute between the Petitioner No.1 and the Respondent No.2 and various legal proceedings were initiated on both sides like Maintenance case, Divorce, Criminal Cases, etc. Now in order to purchase of peace, both the parties have decided to settle the issues and withdraw the allegations made upon each other and on 30.10.2024, the comprehensive order has been passed by the Principal Seat in C.R.P No.3228 of 2023 in the light of settlement agreement executed between the Petitioner No.1 and the Respondent No.2/De-facto Complainant dated 25.10.2024 and most of the cases were withdrawn on both sides.
6. Now the Defacto Complainant/Respondent No.2 has decided to withdraw all the allegations made against the Petitioners. The said withdrawal of allegations will be without prejudice to the rights of the parties. Both parties undertake that they will not file any complaint or petition and will not make any monetary claim in future with regard to the said issue.
7. So the case in C.C.No.15 of 2022 pending before the Additional Mahila Court (J.M.Level), Theni is liable to be quash on the ground that the matter has been settled.

S. Sankar

J. Jayaram
G. Shewang
A. Sankar



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Therefore it is most respectfully prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo as part and parcel of the quash petition in CrI.O.P(MD)No.17011 of 2025 and quash the Impugned charge sheet in C.C.No.15 of 2022 pending before the Additional Mahila Court (J.M.Level), Theni for the alleged offences under Section 498A, 294(b), 494, 323, 34, 406 and 506(i) of IPC and Section 4 of Tamilnadu prevention of Harassment of Women Act and thus render justice.

Dated at Madurai this the 16 day of October, 2025.

Sr. Senthil
Defacto Complainant

G. Shanmugam, A. Senthil Kumar
Petitioners/ Accused No.1 ,3 and 4

Senthil 24/3/2008
Counsel for Defacto Complainant

Senthil
Counsels for Petitioner/
Accused No.1 ,3 and 4

5.The petitioners, namely, S.Venkatprabhu (Aadhaar No.6628 5316 4316), G.Shanmugam (Aadhaar No.4849 6580 2817), A.Senthil Kumar (Aadhaar No.5931 5644 4869), and the second respondent, namely, Santhi (Aadhaar No.5374 1451 7474), are present before this Court in person. They are identified by Mrs.M.Poornima WPC 917,



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AWPS, Theni, Theni District. All the parties confirmed the compromise arrived at between them.

6.It is now reported that the second accused had independently filed a petition challenging the final report in Crl.O.P.(MD).No.14457 of 2023 and the same is pending before this Court.

7.Considering the nature of the offences and also considering the fact that the parties have arrived at a compromise, this Court is of the view that no useful purpose would be served by keeping the impugned charge sheet pending trial. Accordingly, the impugned charge sheet in C.C.No.15 of 2022 pending on the file of the Additional Mahila Court (J.M.Level), Theni, is quashed. The petitioners shall pay a sum of Rs. 10,000/- as costs to the Mediation and Conciliation Centre attached to the Madurai Bench of Madras High Court forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry. This order may be produced at the time of hearing in Crl.OP.No.14457 of 2023.



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8.Hence, this Criminal Original Petition stands allowed.

Consequently, the connected Criminal Miscellaneous Petitions are closed.

31.10.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

vsg

To

1.The Additional Mahila Court (J.M.Level),
Theni.

2.The Inspector of Police,
All Women Police Station,
Theni.

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



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SUNDER MOHAN,J

vsg

ORDER
IN
CRL OP(MD) No.17011 of 2025

Date : 31.10.2025