



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5304 of 2026

AND

CRL MP NO. 4018 OF 2026

1. Sivanaindha Perumal

2. Samikani

3. Chithiraivel

Petitioners

Vs

1. State by
Assistant Superintendent of Police,
Tiruvallur District,
Tiruvallur.
(Cr.No.20/2021 on the file of the All
Women Police Station, Tiruvallur)

2.Divya

Respondents

PRAYER

This criminal original petition is preferred under section 528 of BNSS seeking to call for records in SPL.S.C.No.142 of 2023 on the file of the Principal Sessions Court, Tiruvallur, and Quash the same in respect of the petitioners concerned and pass any other order as deemed fit and proper under circumstances of the case and thus render justice.

For Petitioners: Mr.P.Pugalenth



WEB COPY

CRL OP No. 5304 of 2026



For Respondent(s): Mr.A.Amarnath,
Counsel for Government of
Tamil Nadu (Criminal side)
for R-1

ORDER

The petitioners who are accused facing trial in Spl.S.C.No.142 of 2023 on the file of the Principal District and Sessions Court, Thiruvallur for the offences under sections 498(A), 294(b), 506(2) and 323 IPC of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 have filed this Criminal Original Petition seeking to quash the same.

2.The case of the prosecution is that second respondent and the first petitioner had a love affair and both of them got married in first petitioner's place at Thoothukudi and after their marriage, both of them were living as husband and wife. After coming to know about the social status of the second respondent, the petitioners have started harassing the second respondent and gave mental and physical torture to her and hence, the second respondent has lodged a complaint before the second respondent police and a case in Crime No.20 of 2021 came to be registered. After investigation, the charge sheet has been laid before the concerned court.

3.When the case came up for hearing on 10.04.2026, this court directed the Inspector of Police, All Women Police station, Thiruvallur to enquire and



verify whether the first petitioner and the defacto complainant are living together happily as husband and wife and also to enquire the second and third respondents and also to get an undertaking from them that they will not disturb the peaceful living of the petitioner and the second respondent.

4.Pursuant to the above said direction, today the petitioners and the second respondent appeared before this Court and their identity is confirmed by Ms.P.Stellamary, WHC 1869 of All women Police station, Thiruvallur. It is also reported that the first petitioner and the second respondent are living together happily as husband and wife. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves and that the first petitioner and the second respondent are living happily. The first petitioner and the second respondent have filed separate affidavits before this Court and a Joint Compromise Memo dated 05.01.2026 has been filed by the petitioners and the second respondent. It is stated in paragraph no.4 of the joint compromise memo that the first petitioner and the 2nd respondent are husband and wife; they have now decided to settle the case amicably, therefore, the petitioners and the respondent No.2 have filed this Compromise memo.

5.Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court



reported in **(2017) 9 SCC 641-(Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai**

Karmur Vs. State of Gujarat), and after exercising due caution as advised by

the Hon'ble Supreme Court in **State of Madhya Pradesh v. Dhruv Gurjar and**

Another reported in **(2019) 5 SCC 570**, this Court in exercise of its jurisdiction

under Section 482 Cr.P.C./Section 528 of BNSS is inclined to quash the

proceedings in Sp.S.C.No.142 of 2023 on the file of the Principal District and

Sessions Court, Thiruvallur.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Sp.S.C.No.142 of 2023 on the file of the Principal District and Sessions Court, Thiruvallur is quashed. No costs. Consequently, connected miscellaneous petition is closed.

12-06-2026

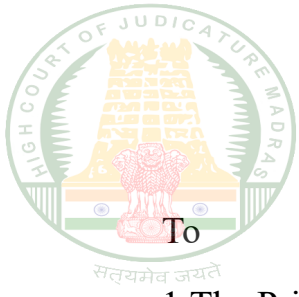
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

vvk



To

1. The Principal District and Sessions Court, Tiruvallur.

2. Assistant Superintendent of Police, Tiruvallur District, Tiruvallur.

3. The Inspector of Police,
All Women Police Station,
Tiruvallur

4. The Government Advocate
(Criminal side)
Madras High court, Chennai.



WEB COPY

CRL OP No. 5304 of 2026



M.NIRMAL KUMAR J.

vvk

**CRL OP No. 5304 of
2026
AND CRL MP NO. 4018
OF 2026**

12-06-2026