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CrI.O.P.No.5003 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.5003 of 2026

Dhanasekharan

... Petitioner

Vs.

1.State rep., by
The Inspector of Police,
W37 All Womens Police Station,
Pattabiram, Chennai – 600 012.

2.Soundharya. B

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records and quash the FIR in Crime No.1 of 2026 for the alleged offence under Sections 85, 115(2) and 351(2) of the BNS which is pending on the file of the respondent police on the ground of compromise.

For Petitioner : Ms. S. Santhi

For Respondents: Mr. Leonard Arul Joseph Selvam, for R1
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed to quash the FIR registered in Crime No. 1 of 2026 on the file of the 1st respondent.

2. The contention of the petitioner is that the defacto complainant in this case is none other than his wife. There was a matrimonial dispute between them and in haste, the defacto complainant lodged a complaint on 30.12.2025. Initially C.S.R.No.479 of 2025 was assigned and later, at the instigation of the defacto complainant's family members, case was registered.

2.1. He further submitted that it was a love marriage between the petitioner and the defacto complainant, which was not accepted by the defacto complainant's family members. Taking advantage of the dispute to wreak vengeance, a complaint was lodged and the respondent police, without proper verification, registered the case.

2.2. Now, with the intervention of will-wishers and family members, the defacto complainant has realized her hasty reaction and the issue between them has been resolved. Both of them are now living together



happily as husband and wife. The defacto complainant has also come forward to compound/withdraw the complaint against her husband.

3. In support of the same, the petitioner has filed an affidavit and the 2nd respondent / defacto complainant has also filed a similar affidavit. They have also filed a joint compromise memo.

4. The learned Additional Public Prosecutor submitted that on 30.12.2025, the defacto complainant / 2nd respondent had lodged a complaint against her husband / petitioner. On 08.09.2022, the petitioner and the defacto complainant were in a love relationship and both the families agreed to their marriage. Thereafter, on 11.09.2022, a grand wedding reception was held at Hotel Leela Palace, Chennai.

4.1. Out of the said wedlock, a girl child was born to them on 21.01.2024 and thereafter both of them started living in T.Nagar. The defacto complainant again became pregnant and delivered their second child on 14.06.2025. The petitioner / husband used to travel abroad frequently and the defacto complainant became doubtful that the petitioner was having an extra-marital affair and therefore lodged the complaint.



4.2. Now the issue has been resolved between the petitioner and the defacto complainant and it is purely a matrimonial discord, which has now been settled. Both of them are living happily with their two children.

5. Today, both the petitioner and the defacto complainant appeared before this Court and confirmed the resolution of the issue and the compromise arrived at between them. They are now living together as husband and wife along with their two children and are leading a happy matrimonial life.

6. In view of the same, this Court is of the opinion that the dispute arose primarily out of a matrimonial discord and the issue has now been resolved between the parties. Therefore, this Court is inclined to quash the proceedings against the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and as a sequel, the FIR in Crime No.1 of 2026 on the file of the 1st respondent, is quashed. The Joint Compromise Memo shall form part of this order.



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8. It is made clear that the registration of the case against the petitioner shall not be used against him in his profession or for any other purpose.

04.03.2026

Neutral Citation: Yes/No

AT

To

1.The Inspector of Police,
W37 All Womens Police Station,
Pattabiram, Chennai – 600 012.

2.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

AT

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