



Crl.O.P. No.10057 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

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THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 10057 of 2026

Manoj

..Petitioner

Vs.

1. State rep.by
The Inspector of Police,
All Women Police Station,
Sathyamangalam,
Erode District.
(Crime No. 4 of 2024).

2. Harshini ..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to quash the final report/charge sheet in C.C. NO. 167 of 2024 pending on the file of learned Judicial Magistrate, Sathiyamangalam.

For Petitioner :: Mr.T. Saikrishnan

For Respondents :: Mr.R. Rajasekaran
Counsel for Govt. of Tamil Nadu
(Crl.Side) for R1



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Ms. Sunithi Abirami for R2

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ORDER

The present criminal original petition is filed to quash the final report/charge sheet in C.C. No. 167 of 2024 pending on the file of learned Judicial Magistrate, Sathiyamangalam.

2. The petitioner/A1 is the husband of the 2nd respondent/de facto complainant. Owing to marital discord and harassment by the petitioner demanding dowry, the complaint came to be lodged by the 2nd respondent with the respondent Police. Based on the complaint, a case in Crime No. 4 of 2024 was registered for offences under Sections 498(A), 417 and 506(ii) IPC and Section 4 of Dowry Prohibition Act. On completion of investigation, the final report was filed listing 11 witnesses, which was taken cognizance in C.C. No. 167 of 2024 by the learned Judicial Magistrate, Sathiyamangalam.

3. The case is at the stage of trial.

4. Learned counsel appearing for the petitioner as well as for the de facto complainant submitted that the matter arises out of a matrimonial dispute and that the parties have now amicably settled the issue among



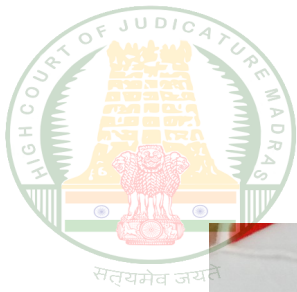
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themselves. Hence, they seek to quash the proceedings pending against the petitioner. Affidavits and a Joint Compromise Memo have been filed.

5. The petitioner/A1 appeared through videoconferencing as he is a resident of Australia. The *de facto* complainant/R2 appeared before this Court. Both of them were identified by their respective counsel as well as by Ms.S. Rajammal, WSSI 2414, Sathiyamangalam AllWomen Police Station, Erode District.

6. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the disputes with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same. Consequent to the settlement reached, the petitioner and the *de facto* complainant have mutually agreed to file a petition seeking divorce by mutual consent before the Sub Court, Sathiyamangalam and that the 2nd respondent has also agreed to withdraw H.M.O.P. No. 86 of 2024 before Sub Court, Sathiyamangalam, for restitution of conjugal rights and also the complaint in DVC No. 14 of 2024.

7. The Joint Memo of Compromise dated 20.03.2026 filed by the parties is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Crl.O.P. No. 10057 of 2026

against

C.C.No. 167 of 2024

(On the file the Learned Judicial magistrate, Sathiyamangalam)

Manoj, 35/m
Son of Saravanan,
Aged about 35 years,
No.418-A, Mondipalayam, Mayilampadi,
Kannadipalayam,
Bhavani Taluk,
Erode.

Presently at
11, Terry St, Heidelberg Heights,
Victoria-3081,
Melbourne,
Australia.

Represented by his father,
Mr.Saravanan,

...Petitioner/ Accused No.1

-Vs-

1. State Rep by
The Inspector of Police,
All Women Police Station,
Sathyamangalam,
Erode District.
(Crime No.4 of 2024)

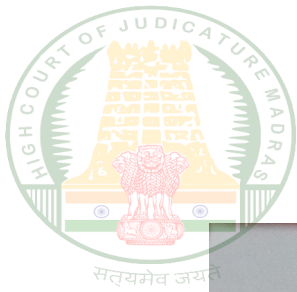
... 1st Respondent / Complainant

2. Harshini,
Daughter of Nanjundeshwaran,
Wife of Manoj,
Aged about 27 years,
No.4,Gopi Main Road,
Sathiyamangalam,
Erode.

..2nd Respondent/ De-Facto Complainant

**COMPROMISE MEMO FILED BY THE PETITIONER AND THE 2nd
RESPONDENT**

The petitioner and the 2nd respondent respectfully submit as follows:



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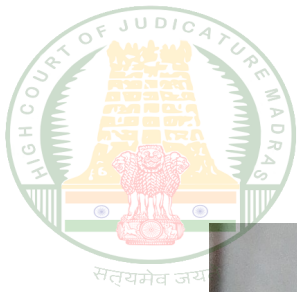
1. That the above criminal Original Petition is filed to quash the Final Report/Charge Sheet in C.C.No.167 of 2024 on the file the Learned Judicial Magistrate, Sathyamangalam as against these petitioner for the alleged offences under Sections 498(A), 417 and 506(ii) of IPC and Section 4 of Dowry Prohibition Act.

2. Both parties respectfully submit that the petitioner herein are the accused No.1 and the 2nd respondent herein is the de-facto complainant in the above Final Report/ Charge Sheet in C.C.No.167 of 2024. The 2nd respondent has filed H.M.O.P.No. 86 of 2024 before the Learned Sub Court, Sathyamangalam praying for restitution of divorce, the 2nd respondent is ready to withdraw the above said H.M.O.P.No.86 of 2024 and both the 1st petitioner and 2nd respondent are mutually agreed to file a Divorce Petition under Mutual consent before the Learned Sub Court, Sathyamangalam.

3. Both parties decided to settle the matter amicably as per following the terms,

i. The 2nd respondent is agreed to withdraw the divorce Petition in H.M.O.P.No.86 of 2024 pending on the file of Sub Court, Sathyamangalam. Both the petitioner and 2nd respondent are agreed to resolve their disputes and differences by agreeing for a divorce by mutual consent and both the 1st petitioner and 2nd respondent will file a petition for divorce by mutual consent before the Learned Sub Court, Sathyamangalam.

ii. The 2nd respondent agreed to withdraw the complaint in D.V.C.No. 14 of 2024 which was filed as against the petitioner and his family members, pending on the file of the Learned Judicial Magistrate, Sathyamangalam.



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iii. The articles are already exchanged their articles between the parties and there are no claims against each other in respect of any other issue.

iv. The 2nd respondent agrees hereby not to proceed the proceedings relating to the Final Report/ Charge sheet in C.C.No.167 of 2024 on the file of the Learned Judicial Magistrate, Sathiyamangalam based on the Complaint in Crime No.4 of 2024 on the file of AWPS, Sathiyamangalam.

It is respectfully submitted that in view of the settlement reached above, the parties pray that this Hon'ble Court may be pleased to record this compromise and to quash the Final Report/ Charge Sheet in C.C.No.167 of 2024 pending on the file of the Judicial Magistrate, Sathiyamangalam and thus render justice.

Dated at *Melbourse* on this the 20th day of March, 2026

Manoj M.S
Petitioner

N. Hanumanth
2nd Respondent

T. Sankar
Counsel for Petitioner

Amithi
Counsel for 2nd Respondent

Duly signed by MANOJ in my presence
this 20th March 2026

Chakraborty



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8. Learned Government Counsel (Criminal Side) appearing on

behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

9. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioner. The Hon'ble Supreme Court, in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat*, reported in (2017) 9 SCC 641, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 BNSS), to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be quashed by this Court.



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10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the proceedings pending against the petitioner in C.C.No.167 of 2024 on the file of Judicial Magistrate, Sathiyamangalam in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in C.C.No.167 of 2024 on the file of Judicial Magistrate, Sathiyamangalam is quashed as against the petitioner.

12. The affidavits and the Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

05.06.2026

nv

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To

1. The Judicial Magistrate,
Sathiyamangalam.
2. The Inspector of Police,
All Women Police Station,
Sathyamangalam,
Erode District.
3. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR,J.

nv

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