



CRL.O.P.No.10794 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 05.06.2026

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.10794 of 2026

Harish (m/37),
S/o.Beenraj,
D.No.7/41, Ramakrishna Nagar,
2nd Avenue Kalathu Medu,
Near Wireless Station Road,
Porur, Maduravoyal Circle,
Chennai-600 116.
At present residing at:
37200 Paseo Padre Pkwy, APT 147,
Fremont, California 94536, USA.

... Petitioner

vs.

1.The State rep by
All Women Police Station,
Erode,
Erode District.
(Crime No.2/2024).

2.Mrs.Shanmathi (f/33),
W/o.Harish,
Door No.94/7, Mohanakumaramangalam Street,
Erode-638 011.

... Respondents



CRL.O.P.No.10794 of 2026

PRAYER: Criminal Original Petitions filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the proceedings in Cr.No.2/2024 dated 15.02.2024 in FIR No.2/2024 and quash the same.

For Petitioner : Mr.J.Muthukumaran

For Respondent : Mr.R.Rajasekaran
Government Advocate (Crl. Side)

ORDER

The petitioner/A1 in Crime No.2 of 2024 for offence under Section 498(A) IPC on the file of the 1st respondent Police, filed this Quash Petition.

2.Learned counsel for the petitioner submitted that the petitioner and the 2nd respondent married on 30.10.2017 and, out of their wedlock, they blessed with a child. Later, they got separated and thereafter, false allegations made against the petitioner's parents and sister as though the 2nd respondent subjected to dowry harassment and cruelty and false complaint lodged and FIR registered. He further submitted that, as regards his parents and sister, they filed quash petition in Crl.O.P.No.9353



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of 2024 before this Court. This Court, finding that the family members of

the petitioner unnecessarily included as accused and that the petitioner and the 2nd respondent were mostly residing in USA and that a misunderstanding in the family life magnified, quashed the FIR against them by order dated 07.10.2025. He further submitted that during the pendency of the investigation, at the instance of the elders, family members and well-wishers, the issue between the petitioner and the 2nd respondent got resolved and the 2nd respondent was inclined to withdraw the domestic violence complaint in D.V.C.No.24 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Erode. To that effect, the 2nd respondent filed memo before the Magistrate. Recording the same, the domestic violence complaint dismissed as withdrawn on 12.11.2025. Now, the petitioner produced affidavit deposed in USA since he is presently employed in California and the 2nd respondent filed affidavit and Joint Compromise Memo.

3.Learned Government Advocate (Crl. Side) appearing for the 1st respondent submitted that it is the 2nd respondent who lodged a complaint



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against the petitioner and his parents and sister. Based on the complaint of harassment, cruelty and demand of dowry, FIR in Crime No.2 of 2024 registered against them and the investigation was pending. Later, this Court quashed the proceedings against the petitioner's parents and sister *vide* order dated 07.10.2025 in Crl.O.P.No.9353 of 2024. He further submitted that now the 2nd respondent appeared before the 1st respondent Police and produced affidavit and Joint Compromise Memo stating that the issue resolved between the petitioner and the 2nd respondent at the instance of the well-wishers and family members and that she is not inclined to proceed further with the complaint. He further submitted that primarily it is a matrimonial dispute with some criminal element. It is not in dispute that the petitioner/A1 is in the USA. Hence, appropriate order may be passed by this Court.

4.The 2nd respondent appeared before this Court and produced the affidavit and Joint Compromise Memo and submitted that the issue resolved between her and the petitioner and that she is not inclined to proceed further with the complaint. She also confirmed the withdrawal of the domestic violence complaint.

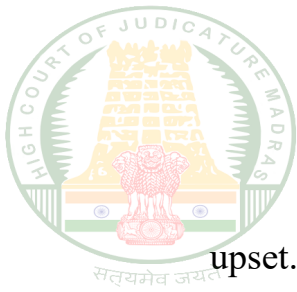
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5.This Court interacted with the petitioner who appeared through the video conference from California and with the 2nd respondent who appeared before this Court in person. Both agreed that the issue resolved at the instance of the family members, elders and well-wishers.

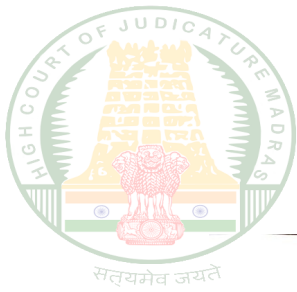
6.Considering the submissions and on perusal of the materials, it is seen that the engagement of the petitioner and the 2nd respondent took place on 30.06.2017, thereafter, the marriage solemnized on 30.10.2017. After the marriage, on 28.12.2017, the petitioner and the 2nd respondent went to USA, where the petitioner is employed, thereafter they lived as husband and wife. On 12.07.2019, they were blessed with a baby. Thereafter, some misunderstanding arose, for which the 2nd respondent blamed her in-laws. On 16.11.2019, the petitioner and the 2nd respondent came back to India, but the petitioner left the 2nd respondent and returned to USA. Later, the 2nd respondent and the child called back on 25.07.2021, and they again started living together. In fact, the 2nd respondent joined as a Teacher in Learn and Play Montessori School. On 27.01.2024, the petitioner and the 2nd respondent came back to India, and the 2nd respondent delivered a stillborn baby, due to which she mentally



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upset. Thereafter, the misunderstanding again got magnified, and the 2nd

respondent lodged a complaint before the 1st respondent Police. Finding that the petitioner had gone alone to USA on 04.02.2024, she lodged the complaint. From the interaction, it is seen that owing to the stillbirth of the baby, she mentally disturbed, and it is quite natural that during this period she developed a feeling that she had been neglected and that no one had taken care of her. At that stage, the petitioner, namely, her husband, left her and went to USA, hence, she lodged the complaint. It is seen that the petitioner only wanted the 2nd respondent to recuperate and get back to the normal course of life. Anyhow, now the issue resolved. Scanned reproduction of the Joint Compromise Memo is as follows:



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IN HIGH COURT OF JUDICATURE AT MADRAS

Crl. O.P. No. of 2026
in
Crime No. 2 of 2024
(On the file of the Respondent Police)

Harish (M/37)
S/o. Beemaraj
D.No.7/41, Ramakrishna Nagar,
2nd Avenue Kalathu Medu
Near Wireless Station Road,
Porur,
Maduravoyal Circle,
Chennai – 600 116
At present residing at:
37200 Paseo Padre Pkwy, APT 147
Fremont, California 94536, USA

...Petitioners/ Accused 1

-Vs-

1. The State rep by
All Women Police Station,
Erode,
Erode District
(Crime No.2/2024).

.. Respondent/Complainant

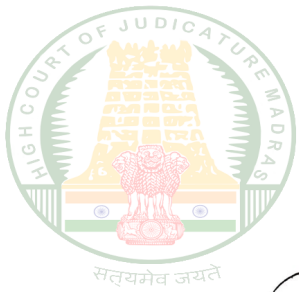
2. Mrs. Shanmathi (F/33)
W/o. Harish
Door No.94/7, Mohanakumaramangalam Street,
Erode. – 638 011.

... Respondent/Defacto Complainant

**JOINT MEMO OF COMPROMISE FILED BY THE PETITIONER AND THE
2ND RESPONDENT**

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

1. The petitioner and the 2nd respondent respectfully submits that based on the complaint made by the 2nd respondent, the 1st respondent police registered an F.I.R. as against the petitioner in Crime No.2/2024 for the alleged offence Under Section under 498A of IPC the same is pending on the



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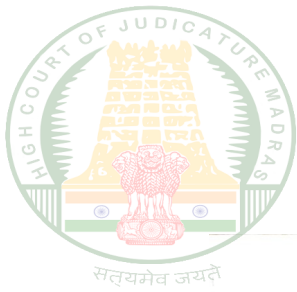
1st respondent and the 2nd respondent has also filed D.V.C.No.24/2024 and the same was withdraw by the 2nd respondent. Due to the intervention of family members and elders, settlement was arrived between the petitioners and the 2nd respondent and the disputes and differences were settled amicably and peacefully.

2. The petitioner and the 2nd respondent respectfully submit that in view of the subsequent events and developments, the 2nd respondent has decided not to proceed with the criminal case pending in F.I.R in Cr.No.2/2024 on the files of the Judicial Magistrate, Additional Mahila Court, Erode in D.V.C.No.24/2024,

3. The petitioner have filed the above Criminal O.P to quash the F.I.R the 2nd respondent has got no objection in quashing F.I.R in Cr.No.2/2024 on the files of the Judicial Magistrate, Additional Mahila Court, Erode in D.V.C.No.24/2024, The 2nd respondent has filed a separate affidavit stating no objection for quashing the above F.I.R.

It is therefore prayed that this Hon'ble court may be pleased to record the above memo of compromise between the petitioners and the 2nd respondent and pass necessary orders to quash the F.I.R in Cr.No.2/2024 on the files of the Judicial Magistrate, Additional Mahila Court, Erode in D.V.C.No.24/2024, and thus render justice.

Dated at Chennai on this the 18 day of March 2026.



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"A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document."

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Petitioner

Counsel for petitioner

(B. HARISH)

2nd respondent

Counsel for 2nd respondent

(S. SHANMATHI)

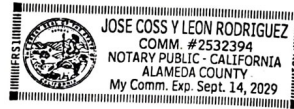
State of California
County of Alameda

Subscribed and sworn to (or affirmed) before me on this
6th day of APRIL 20 26 by
HARISH REEMARAJ -

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.

Witness my hand and official Seal:

Notary public





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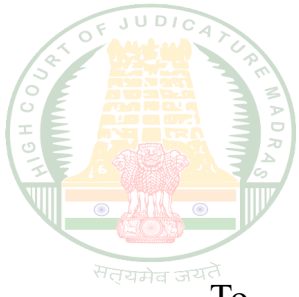
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7. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., is inclined to quash the FIR.

8. In the result, this Criminal Original Petition is allowed and the FIR in Crime No.2 of 2024 dated 15.02.2024 on the file of the 1st respondent Police is hereby quashed against the petitioner.

05.06.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
vv2



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To
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- 1.The All Women Police Station,
Erode,
Erode District.
- 2.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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05.06.2026