



WEB COPY

CRL OP No. 15527 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15527 of 2026

and

CRL OP No. 15602 of 2026

1. Varun Kumar
2. Shakila
3. Nivedha

..Petitioner(s)

Vs

1. The Inspector of Police
All Women Police Station,
Pallikaranai.
Crime No.1278 of 2022

2. Nivetha

..Respondent(s)

CRL OP No. 15602 of 2026

1. Nivetha Sakthivel
2. Vignesh Sakthivel
3. Sakthivel
4. Suresh Babu
(mentioned as 'Sumesh Babu' in FIR)
5. Arul Kumar
(mentioned as 'Arul' in FIR)

..Petitioner(s)

Vs



1. The Inspector of Police
All Women Police Station,
Pallikaranai.
Crime No.682 of 2023.

2. Varun Kumar

..Respondent(s)

CRL OP No. 15527 of 2026

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records compromise and quash the Crime No.1278 of 2022 on the file of the 1st respondent.

CRL OP No. 15602 of 2026

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records, compromise and quash the Crime No.628 of 2023 on the file of the 1st respondent.

CRL OP No. 15527 of 2026

For Petitioner(s): M.Nirmalkumar

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side) for R1

Mr.S.K.Yuvaraj for R2

CRL OP No. 15602 of 2026

For Petitioner(s): Mr.M.Adeeb Mohammed

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side) for R1

Mr.M.Nirmal Kumar for R2

**COMMON ORDER**

WEB COPY The accused in Crime No.1278 of 2022 on the file of the 1st respondent Police registered for the offences under Sections 498-A, 323, 354, 506(2) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, have filed the quash petition in Crl.O.P.No.15527 of 2026.

2.The accused in Crime No.682 of 2023 on the file of the 1st respondent Police registered for the offences under Sections 448, 323, 354 and 506(1) IPC, have filed the quash petition in Crl.O.P.No.15602 of 2026.

3.The 1st petitioner in Crl.O.P.No.15527 of 2026 married the 2nd respondent in Crl.O.P.No.15527 of 2026, on 20.08.2021. For the sake of convenience, the parties are referred to as husband and wife.

4.The petitioners 2 and 3 in Crl.O.P.No.15527 of 2026 are the mother and sister of the husband. The petitioners 2 to 5 in Crl.O.P.No.15602 of 2026 are the family members of the wife.

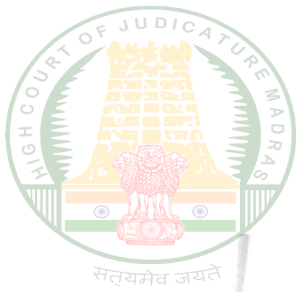
5.It is the case of the wife that her family gave 27 sovereigns of gold and a sum of Rs.5,00,000/- towards marriage expenses and substantial amounts on various other occasions to the husband's family. However, her husband was not



showing love and affection towards her. Rather, he had an affair with another woman. When questioned, her husband and his family members already knew about the same. They demanded 10 more sovereigns of gold as dowry and assaulted her and sent her away from the matrimonial home. Hence, on the complaint given by the wife, an FIR in Crime No.1278 of 2022 came to be registered as against the husband, his mother and sister, for the offences under Sections 498-A, 323, 354, 506(2) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

6.It is the case of the husband that, after his wife left the home, his wife's family members came to his house and brutally attacked him and his family members on 30.10.2022 at around 1.30 p.m and threatened them of dire consequences. Hence, on the complaint lodged by the husband, an FIR came to be registered in Crime No.682 of 2023 as against the wife and the family members of the wife for the offences under Sections 448, 323, 354 and 506(1) IPC.

7.By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Accordingly, the accused in both the cases have filed the present quash petitions accompanied with a joint compromise memo, dated 08.04.2026. The memo in Crl.O.P.No.15527 of 2026 is scanned and reproduced hereunder :



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Crl. O.P. No. 15527 of 2026

Against

Crime. No. 1278 of 2022

1. Varun Kumar, (Male, 33 years of age)
S/o. V.S. Sajeev,
No. 4G, Dilli Babu Nagar,
3rd Street, Sri Ambal Nagar,
Pallikaranai, Chennai – 600 100.
2. Shakila, (Female, 56 years of age)
No. 4G, Dilli Babu Nagar,
3rd Street, Sri Ambal Nagar,
Pallikaranai, Chennai – 600 100.
3. Nivedha, (Female, 28 years of age)
No. 4G, Dilli Babu Nagar,
3rd Street, Sri Ambal Nagar,
Pallikaranai, Chennai – 600 100.

...Petitioners/Accused 1-3

Vs.

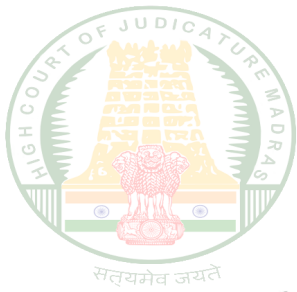
1. Inspector of Police,
All Women Police Station,
Pallikaranai.
Crime No. 1278 of 2022

...1st Respondent/Complainant.

2. Nivetha, (Female, 30 years of age)
D/o. Sakthivel,
No. 581, Village Main Road,
Lakshmi Nagar, Sholinganallur,
Chennai – 600 119.

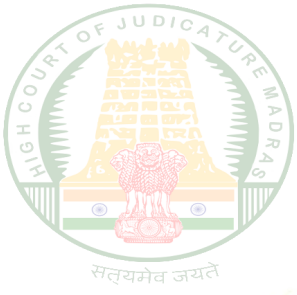
...2nd Respondent/Defacto Complainant**JOINT MEMO OF COMPROMISE**

The Petitioners and the 2nd Respondent mutually enter into the present joint memorandum of compromise on this the 8th day of April at Chennai on the following terms:



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1. The 1st Petitioner and the 2nd Respondent were originally married and since marital disputes arose between them, the 2nd Respondent/de-facto Complainant lodged a complaint against the Petitioners before the 1st Respondent vide F.I.R No.1278/2022 on 25.11.2022 alleging commission of offence under Sections 498(A), 323, 354 & 506 (2) of IPC, 1860 and Section 4 of TN Prohibition of Harassment of women act, 2002 and the same is still pending.
2. It is respectfully submitted that the above said disputes have been settled amicably between the parties since the issue involved is purely matrimonial. In view of the Memorandum of Understanding entered between the 1st Petitioner and the 2nd Respondent on 02.09.2023, a petition U/S 13 (B) of the Hindu Marriage Act, 1955, for dissolution of marriage by mutual consent was preferred before the Hon'ble Subordinate Judge at Alandur and on 18.01.2024, a decree dissolving the marriage between the 1st Petitioner and 2nd Respondent solemnized on 20.08.2021 at Arulmigu Kamanatheeswarar Matrum Karivaradharaja Perumal Thirukovil, Aragalur was granted by the Court.
3. In the Memorandum of Understanding dated 02.09.2023, it was agreed that both the parties shall part ways amicably and there shall be no claims against each other. The 2nd Respondent had also agreed to co-operate with the Petitioners in quashing the FIR No. 1278/2022 registered with the 1st Respondent in the petition to quash the same before this Hon'ble Court.
4. In order to honour the terms of settlement agreed on 02.09.2023, the 2nd Respondent agrees to convey her no objection for allowing the petition to quash the FIR in Crime No.1278/2022 registered by the 1st Respondent, as preferred by the Petitioners.



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In the foregoing circumstances, it is therefore humbly prayed that this Hon'ble Court may be pleased to record this Joint Memo of Compromise and quash the FIR in Crime No.1278/2022 at All Women Police Station, Pallikaranai and pass such further or other orders and thus render Justice.

Dated at Chennai on this the 8th day of April, 2026.

1. 
2. 
3. 

Petitioners


Counsel for Petitioners


2nd Respondent

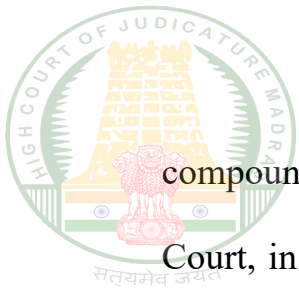

Counsel for 2nd Respondent



8.Learned counsel on either side submitted that the disputes between the parties have been settled, since the issues involved are purely matrimonial. In view of the Memorandum of Understanding entered between the husband and the wife on 02.09.2023, a decree dissolving the marriage between the 1st petitioner and the 2nd respondent in Crl.O.P.No.15527 of 2026 was granted by the learned Subordinate Judge at Alandur, on 18.01.2024, based on mutual consent. Now, the parties have decided to part ways and amicably resolve the issues between them.

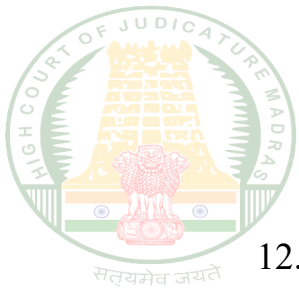
9.Today, the accused in both the cases (husband, wife and their family members respectively) appeared before this Court. They are identified by Mr.M.Maruthamani, Women Head Constable 2006, AWPS W5, Pallikaranai. The 2nd respondent in Crl.O.P.No.15527 of 2026/wife submitted that she got married to another person and to confirm the same, she appeared along with the child born out of the wedlock. She has expressed her inclination to buy peace and compound the offences. The petitioner in Crl.O.P.No.15527 of 2026/husband has also expressed his willingness to compound the offences as against the wife's family.

10.One important 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 accused. 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.

11. However, considering the facts of the case, it can be seen that the offence in question is purely matrimonial in nature and the parties themselves have now come forward to settle the matter amicably. Therefore, quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing the criminal proceedings. 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 CrI 10**, this Court, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS, is inclined to quash the proceedings pending against the accused.



12. In view of the above, these Criminal Original Petitions are allowed and both the cases in Crime No.1278 of 2022 and Crime No.682 of 2023 on the file of the 1st respondent Police, are hereby quashed as against all the accused. The joint compromise memo filed by the parties in both the petitions shall form part of the records.

18-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MKN

To

1. The Inspector of Police
All Women Police Station,
Pallikaranai.

2. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 15527 of 2



M.NIRMAL KUMAR J.

MKN

**CRL OP No. 15527 of 2026
and
CRL OP No. 15602 of 2026**

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