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CRL A No. 1436 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-01-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL A No. 1436 of 2024

Arasumani

..Appellant/A2

Vs

1. State by,
Deputy Superintendent of Police,
Villupuram Sub Division, Villupuram.

2. State by
Sub Inspector of Police,
Periathachur Police Station,
Villupuram.

... Respondents 1 & 2 / Complainant

3. Divyabharathi

..3rd Respondent/Defacto Complainant

Prayer: Criminal Appeal filed under Section 14-A(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, to set aside the judgment of conviction and sentence imposed upon by the appellant dated 29.10.2024 by the learned Sessions Judge, Special Court for Trial of Cases under the SC/ST (POA) Act, Villupuram, in Spl.SC.79 of 2023 and allow the appeal.

For Appellant:

Mr.A.Nagarajan

For Respondents:

Mr.S.Rajakumar (for R1 & R2)
Additional Public Prosecutor
Mr.K.Sathyaraj (for R3)



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CRL A No. 1436 of 2024

Judgment

This Criminal Appeal has been filed by the second accused, challenging the judgment dated 29.10.2024 in Spl.SC.No.79 of 2023 on the file of the learned Sessions Judge, Special Court for Trial of Cases under the SC/ST (POA) Act, Villupuram, by which he was convicted for the offence under Sections 294(b) and 352 of the IPC, Section 4 of Tamilnadu Prohibition of Harassment of Women Act [in short, ‘TNPHW Act’] and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, [in short ‘SC/ST (POA) Act’] and sentenced as follows:

Offence under Section	Sentence imposed
294(b) IPC	To undergo SI for three months.
352 IPC	To undergo SI for three months.
4 TNPHW Act	To undergo RI for three years and to pay a fine of Rs.10,000/- in default to undergo RI for six months.
3(1)(r) SC/ST (POA) Act	To undergo RI for three years and to pay a fine of Rs.2,50,000/- in default to undergo RI for six months.
3(1)(s) SC/ST (POA) Act	To undergo RI for three years and to pay a fine of Rs.2,50,000/- in default to undergo RI for six months.
The sentences were ordered to run concurrently.	

2. (i) The case of the prosecution is that the appellant arrayed as second accused before the trial Court is the father of the first accused;



that the first accused is the husband of the defacto complainant/3rd respondent; that there were matrimonial differences between the two of them; that on 15.02.2022 at about 8.00 a.m., the defacto complainant along with her relatives had come to the house of the first accused to attempt a reconciliation between the two of them; that at that time, the first accused had abused the defacto complainant using her caste name; that the appellant/second accused had also humiliated the defacto complainant and had assaulted the defacto complainant; that third and fourth accused pushed the other witnesses, besides humiliating them on account of their caste; and that on the complaint given by the defacto complainant, a case was registered and on investigation, a final report was filed against four accused.

(ii). The prosecution examined 11 witnesses on its side and marked 10 documents. The accused neither examined any witness nor marked any document.

(iii) The trial Court acquitted the first, third and fourth accused of all offences. The second accused/appellant was found guilty of the



aforesaid offences and hence, the trial Court convicted and sentenced him as stated in paragraph No.1 of the judgment.

3. Pending appeal, it appears that the parties have entered into a compromise. Admittedly, the defacto complainant is the daughter-in-law of the appellant. She has filed an affidavit dated 27.01.2026 stating that the parties have since decided to resolve the issues amicably and if the appellant is convicted, it will lead to further animosity and it would affect her future. The said affidavit is taken on record. The parties have also filed a Joint Compromise Memo dated 27.01.2026 duly signed by both the appellant and the defacto complainant and their respective counsel to that effect and the same is also taken on record. Though it is not specifically referred to in the Joint Compromise Memo, the parties would submit that the fine amount of Rs.5,10,000/- paid by the appellant, has been received by the defacto complainant as compensation and the same need not be disturbed. The said submission is recorded.

4. The defacto complainant/3rd respondent, who is present in person today before this Court and identified by Mr.K.R.Karthikeyan,



CRL A No. 1436 of 2024

Sub Inspector of Police, Periyathachur Police Station, Villupuram,
confirmed the compromise arrived at between them.

5. As stated above, the allegation is that the appellant had slapped the defacto complainant and humiliated her on account of her caste. The dispute is purely private in nature. Since the defacto complainant herself is not willing to pursue the case and would state that if the appellant is convicted it will lead to further animosity and will affect her future life, this Court is inclined to accept the compromise, considering the nature of the offences and set aside the judgment of conviction and sentence passed by the trial Court.

6. Therefore, in view of the Joint Compromise Memo dated 27.01.2026, the conviction and sentence imposed upon the appellant vide Judgment dated 29.10.2024 by the learned Sessions Judge, Special Court for Trial of Cases under the SC/ST (POA) Act, Villupuram in Spl.S.C.No.79 of 2023 is set aside and the appellant/second accused is acquitted of all the charges. The fine amount ordered by the trial Court has been paid by the appellant and the entire fine has been disbursed to



CRL A No. 1436 of 2024

the defacto complainant as compensation. Since the said payment also has been taken into consideration for arriving at a compromise, the fine amount paid shall not be refunded to the appellant in the facts of this case. The bail bond, if any, executed shall stand discharged. The Criminal Appeal is allowed.

30.01.2026

Index: Yes/No.
Speaking/Non-speaking order
Neutral Citation: Yes/No
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CRL A No. 1436 of 2024

SUNDER MOHAN J.

ars

To

1. The Sessions Judge,
Special Court for Trial of Cases under the SC/ST (POA) Act,
Villupuram.
2. The Deputy Superintendent of Police,
Villupuram Sub Division, Villupuram.
3. The Sub Inspector of Police,
Periathachur Police Station, Villupuram.
4. The Public Prosecutor,
High Court, Madras.

CRL A No. 1436 of 2024

30.01.2026

Page 7 of 7