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Crl.OP(MD).No.5272 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5272 of 2026

and

CrI.M.P.(MD).Nos.5661 & 5662 of 2026

Muthusudalai

...Petitioner/Sole Accused

Vs

1. The State of TamilNadu

rep. through the Inspector of Police,

South Police Station,

Thoothukudi,

Crime No.358 of 2015

... 1st Respondent/Complainant

2. Sahayarai

... 2nd Respondent/Defacto-complainant

3. Shirani

... 3rd Respondent/Victim

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the entire records pertaining to S.C.No.42 of 2026 pending before the Principal District Court, Thoothukudi and Quash the same and pass such any or other orders.

For Petitioner

: M/s.A.Mohamed Arif

For Respondents

: Mr.R.Meenakshi Sundaram

Addl. Public Prosecutor

for R1

Mr.K.Yasar Arafath - for R2



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ORDER

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The present petition has been filed by the sole accused seeking to quash the charge sheet in S.C.No.42 of 2026 on the file of the learned Principal District Court, Thoothukudi, wherein the petitioner is alleged to have committed offences under Sections 294(b), 325, 307, 506(ii) of IPC and Section 4 of TNPHW Act.

2. A perusal of the charge sheet reveals that the accused is the husband of the third respondent, and that, due to a matrimonial dispute, the petitioner is alleged to have attacked his wife, wrapped a saree around her neck, and attempted to hang her. A complaint was lodged by the mother of the third respondent, who is the petitioner's mother-in-law. The occurrence is stated to have taken place on 29.04.2015. After investigation, a charge sheet was laid on 24.01.2026, and the same has been taken on file as S.C. No.42 of 2026 on the file of the Principal District Court, Thoothukudi District. Therefore, to quash the said charge sheet, the present petition has been filed by the sole accused.

3. When the matter was came up for hearing on 13.03.2026, the defacto complainant, the victim, and the accused were present before this Court. It was submitted by them that they had resolved their matrimonial dispute and have



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been living together for the past 11 years. The victim as well as the defacto complainant requested this Court to drop the proceedings so that their matrimonial life would not be affected. The said statement was recorded by this Court on 13.03.2026. However, this Court is not inclined to quash the charge sheet on the ground of the compromise entered into between the parties, as the petitioner has been charged with an offence under Section 307 IPC, along with other offences. Therefore, the case was adjourned today (24.03.2026) for making further submissions.

4. The learned Counsel appearing for the petitioner submitted that there was a matrimonial dispute between the petitioner and the third respondent, and that, due to the said dispute, the third respondent/wife attempted to commit suicide by hanging herself. However, the mother of the victim/wife lodged a complaint alleging that the son-in-law/accused had attempted to kill her by hanging her. Now, the matrimonial dispute has been resolved, and they have been living together for the past 11 years. In the meantime, they have been blessed with three children.

5. The learned Counsel appearing for the defacto complainant as well as the victim submitted that the petitioner and the third respondent herein have



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been leading a happy matrimonial life for the past 11 years and have been blessed with three children. In these circumstances, he further submitted that if the criminal proceedings are permitted to continue, it would also affect the matrimonial life of the victim. Hence, he also requested that the charge sheet be quashed.

6. I have carefully considered the submissions made on either and perused the materials available on record.

7. A perusal of the charge sheet reveals that the sole accused is alleged to have attempted to hang the victim, who is his wife. The FIR was registered based upon a complaint lodged by the petitioner's mother-in-law, and not by his wife. Thereafter, the husband and wife resolved their matrimonial dispute and they have been living together for the past 11 years, during which time they have been blessed with three children. The FIR was registered at the instance of the mother-in-law and not at the instance of the victim. The victim appeared before this Court and submitted that the charge sheet may be quashed as against her husband.



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8. In view thereof, this Court finds that no useful purpose would be served in continuing the criminal proceedings against the petitioner.

Considering the facts and peculiar circumstances of the case, this Court is inclined to quash the charge sheet in S.C. No. 42 of 2026 on the file of the Principal District Court, Thoothukudi. Accordingly, the charge sheet in S.C.No. 42 of 2026 on the file of the Principal District Court, Thoothukudi is hereby quashed. This Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

24.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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To

1. The Principal District Court,
Thoothukudi.
2. The Inspector of Police,
South Police Station, Thoothukudi,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

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