



Crl.OP(MD)No.22325 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 27.02.2026

PRONOUNCED ON : 01.06.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.22325 of 2025

and

Crl.M.P.(MD)No.19223 of 2025

1. K.Muthuraj

2. K.Tamilselvi

3. K.Gowtham

... Petitioners/Accused

Vs.

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
AWPS – Srivilliputhur,
Virudhunagar District.
Crime No.29 of 2025.

.... Respondent / Complainant

2. K.Abinaya

..... Respondent /
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records of the impugned proceedings of the FIR in Crime No. 29 of 2025 on the file of the 1st respondent police and quash the same.



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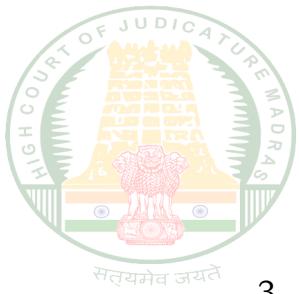
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For Petitioners : Mr.Ragaventhare,
For Mr.K.Prabhu
For R-1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)
For R-2 : Mr.Muthumalairaja

ORDER

The present Criminal Original Petition has been instituted invoking the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashment of the First Information Report in Crime No.29 of 2025 registered on the file of the 1st respondent police for the alleged offences under Sections 498-A, 307 and 506(ii) IPC corresponding to Sections 85, 109 and 351(4) of the Bharatiya Nyaya Sanhita, Section 4 of the Dowry Prohibition Act, 1961 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

2. The petitioners are arrayed as accused Nos.1 to 3 in the impugned FIR. The 1st petitioner is the husband of the 2nd respondent/*de-facto* complainant and petitioners 2 and 3 are his parents.



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3. During the pendency of the present proceedings, the parties have entered into an amicable settlement and have filed a Joint Memorandum of Compromise before this Court. In view of the said subsequent development, this Court is called upon to examine whether continuation of the criminal proceedings would serve any meaningful purpose or whether the same deserves to be terminated in exercise of the inherent powers of this Court.

Case of the prosecution:

4. The case of the prosecution, as could be gathered from the complaint and the First Information Report, is that the marriage between the 1st petitioner and the 2nd respondent was solemnised on 12.10.2020 in accordance with Hindu rites and customs. It is alleged that at the time of marriage, the petitioners projected that the 1st petitioner had entered judicial service at a young age and had bright prospects of elevation in future.

5. According to the prosecution, on account of such representations, the family of the 2nd respondent allegedly provided 220 sovereigns of gold jewels, 4 kilograms of silver articles, diamond

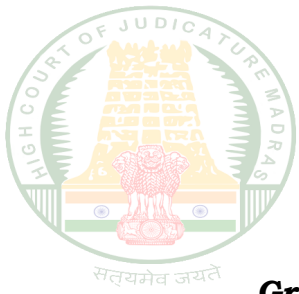


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ornaments, household utensils and other valuables. It is further alleged that a luxury vehicle worth approximately Rs.45,00,000/- was also provided at the insistence of the petitioners and that the family of the 2nd respondent incurred marriage expenses to the tune of Rs.65,00,000/-.

6. The further allegation in the complaint is that after marriage, the petitioners allegedly demanded additional dowry and subjected the 2nd respondent to cruelty, harassment and intimidation. One of the principal allegations in the FIR pertains to an occurrence allegedly dated 25.07.2021, wherein the 2nd respondent claimed to have noticed certain suspicious circumstances relating to a Freon gas wire connected to an air-conditioner and alleged that the same had been deliberately cut by the petitioners 2 and 3 with an intention to endanger her life. Based upon the said complaint, the impugned FIR came to be registered in Crime No.29 of 2025 for the aforesaid offences.

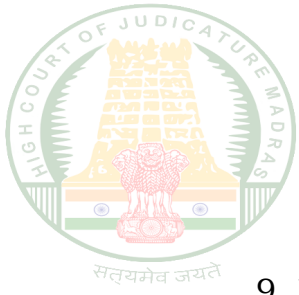


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Grounds for quash:

7. Assailing the registration of the FIR, the learned counsel appearing for the petitioners submitted that the allegations are false, exaggerated and inherently improbable. The learned counsel further contended that the allegations relating to cruelty under Section 498-A IPC are vague and omnibus in nature and merely disclose matrimonial discord and domestic misunderstandings without satisfying the statutory ingredients constituting cruelty within the meaning of law.

8. Insofar as the allegation under Section 307 IPC is concerned, the learned counsel submitted that no injury whatsoever had been caused to the *de-facto* complainant and there are absolutely no medical records or scientific materials supporting the allegation of attempt to murder. It was further argued that the allegation relating to the alleged cutting of Freon gas wire is purely speculative and unsupported by any contemporaneous complaint or material evidence.

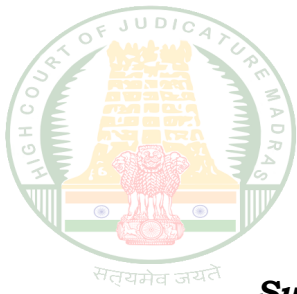


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9. With respect to the offence under Section 506(ii) IPC, it was contended that mere verbal exchanges or matrimonial quarrels would not constitute criminal intimidation unless there exists a real, imminent and grave threat capable of causing alarm. The learned counsel further submitted that the allegation regarding dowry demand is inherently unbelievable, particularly having regard to the social and financial background of the petitioners and the status of the 1st petitioner as a Judicial Officer.

10. It was also submitted that there are substantial contradictions between various complaints allegedly given by the 2nd respondent before different authorities, including representations made before the Hon'ble Chief Justice and the respondent police. The learned counsel additionally pointed out that the streedhana articles had already been returned pursuant to orders passed in Crl.M.P.No. 3303 of 2022 on the file of the learned Additional Mahila Court, Srivilliputhur.



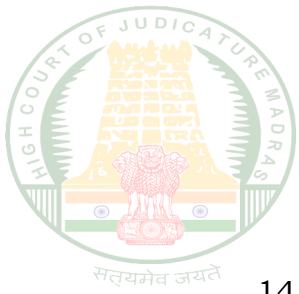
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Submissions on either side:

11. The learned counsel appearing for the petitioners reiterated the grounds raised in the quash petition and submitted that continuation of the criminal proceedings would amount to abuse of process of law, particularly in view of the subsequent settlement arrived at between the parties. The learned counsel appearing for the 2nd respondent submitted that with the intervention of elders, respectable members of both families and well-wishers, the matrimonial dispute has been amicably resolved.

12. The learned counsel further submitted that the parties have mutually agreed to dissolve their marriage by filing a petition under Section 13-B of the Hindu Marriage Act and have settled all monetary and matrimonial claims.

13. The learned counsel appearing for the 2nd respondent submitted that the 2nd respondent no longer intends to pursue the criminal proceedings and has voluntarily consented for quashment of the FIR.



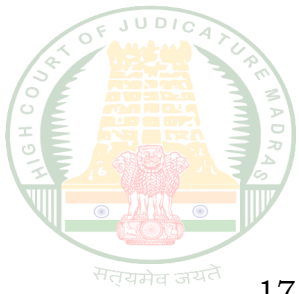
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14. The learned Government Advocate (Criminal Side) appearing for the 1st respondent submitted that though certain offences alleged in the FIR are non-compoundable in nature, the matter has essentially arisen out of matrimonial discord and therefore this Court may pass appropriate orders in accordance with law.

15. A Joint Memorandum of Compromise dated 27.02.2026 has been filed before this Court signed by the petitioners and the 2nd respondent/*de-facto* complainant. The terms of settlement disclose that the parties have mutually agreed to withdraw all pending litigations including D.V.C.No.16 of 2022 and H.M.O.P.No.91 of 2025 pending before the competent Courts at Srivilliputhur.

16. The parties have also agreed to dissolve their marriage by mutual consent and the 1st petitioner has undertaken to pay a sum of Rs.25,00,000/- towards full and final settlement of all claims including permanent alimony and maintenance. The parties have further undertaken not to initiate any future civil or criminal proceedings against each other or their respective family members.



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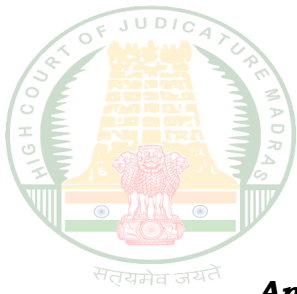
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17. Today, the petitioners and the 2nd respondent are present before this Court in person and they are identified by the Sub Inspector of Police, All Women Police Station, Srivilliputhur. The 2nd respondent categorically stated before this Court that the compromise has been entered into voluntarily, without coercion, undue influence or compulsion and that she has no objection for quashing the FIR. This Court is fully satisfied that the compromise entered into between the parties is genuine, lawful and voluntary.

18. Heard the learned counsels on either side and carefully perused the materials available on record.

Point for consideration:

19. The point that arises for consideration is whether the FIR in Crime No.29 of 2025 is liable to be quashed in exercise of the inherent powers of this Court under Section 528 BNSS in view of the compromise arrived at between the parties.



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Analysis:

20. The law relating to quashment of criminal proceedings on the basis of compromise is no longer *res integra*.

21. In ***Gian Singh v. State of Punjab***¹, the Hon'ble Supreme Court authoritatively held that the inherent powers of the High Court may be exercised even in respect of non-compoundable offences where the dispute is essentially private and personal in nature and where continuation of the proceedings would amount to abuse of process of law.

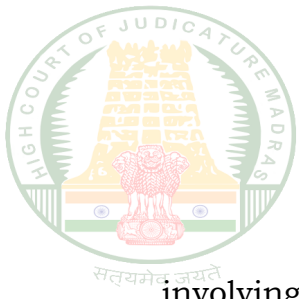
22. Subsequently, in ***Parbatbhai Aahir v. State of Gujarat***², the Hon'ble Apex Court crystallised the governing principles and emphasised that the paramount consideration is whether quashing would secure the ends of justice.

23. In ***State of Madhya Pradesh v. Laxmi Narayan***³, the Hon'ble Supreme Court further clarified that while serious offences

1 2012 10 SCC 303

2 (2017) 9 SCC 641

3 (2019) 5 SCC 688



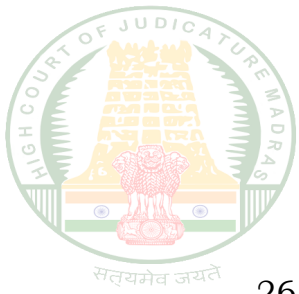
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involving grave societal impact ordinarily should not be quashed merely on compromise, disputes arising predominantly from matrimonial discord may stand on a different footing.

24. In the present case, though one of the allegations pertains to Section 307 IPC, this Court cannot lose sight of the fact that the entire genesis of the prosecution emanates from a matrimonial relationship between the parties. The allegations themselves reveal that the dispute arose within the confines of a strained matrimonial relationship. The records also indicate that the parties have consciously resolved their differences and have decided to part ways peacefully.

25. This Court has carefully considered the nature of the allegations, the stage of proceedings, the voluntary nature of the settlement and the overall circumstances of the case. Significantly, the *de-facto* complainant herself has appeared before this Court and unequivocally expressed her intention not to prosecute the criminal proceedings any further.

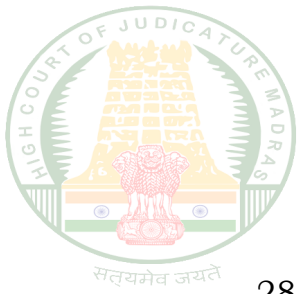


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26. In matrimonial disputes of the present nature, continuation of criminal prosecution after a genuine settlement would only perpetuate bitterness and unnecessarily prolong adversarial litigation. This Court is of the considered view that the possibility of conviction in the present case has become remote and bleak in view of the compromise arrived at between the parties. Further continuation of the criminal proceedings would therefore serve no useful purpose and would amount to abuse of the process of Court. Accordingly, this Court is inclined to exercise its inherent jurisdiction under Section 528 BNSS to secure the ends of justice.

27. Matrimonial litigations, particularly those involving allegations and counter allegations between spouses and their families, often carry deep emotional and social consequences. When parties, after introspection and intervention of elders and well-wishers, decide to bury their differences and settle their disputes amicably, Courts must encourage such genuine settlements, provided no overriding public interest is adversely affected.



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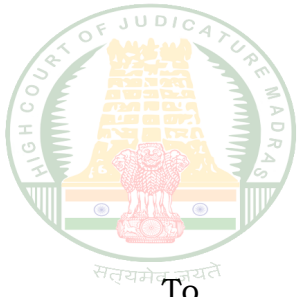
28. The present case, in the considered opinion of this Court, falls within the category of disputes which are overwhelmingly personal and private in nature and therefore deserves quietus in the larger interest of justice and restoration of peace between the parties.

29. In fine, this Criminal Original Petition stands allowed. The FIR in Crime No.29 of 2025 on the file of the Inspector of Police, All Women Police Station, Srivilliputhur, Virudhunagar District, is hereby quashed insofar as the petitioners are concerned. The Joint Memorandum of Compromise dated 27.02.2026 shall form part and parcel of this order.

30. The petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the MBHAA E-Library Fund, Indian Bank, Madurai Bench of Madras High Court Branch, within a period of one week from the date of receipt of a copy of this order and file proof of such compliance before the Registry. Consequently, connected miscellaneous petition is closed.

01.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To
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1. The Inspector of Police,
AWPS – Srivilliputhur,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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