

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

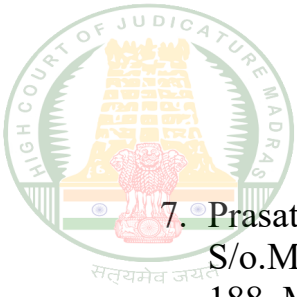
CORAM:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.O.P.No.15121 of 2026

and CRL.M.P.Nos.9741 & 9742 of 2026

1. Kannan
S/o.Kathirvel,
1/22, Mariamman Kovil street,
Rajapram Post,
Arvakurichy TK,
Karur District.
2. Chandrasekaran
S/o.Ayyamuthu,
Pethachi Nagar,
Arvakurichy tk,
Karur District.
3. Sathish
S/o.Krishnan,
147, Veerapandi colony,
Veerapandy,
Salem district.
4. Ragul
S/o.Ashokan,
480, Saniyasikundu,
Ammamet,
Salem.
5. Santhosh
S/o.Manickam,
485, Saniyasikundu,
Ammamet, Salem.
6. Sabarinathan
S/o.Annamalai,
375, Velmurugan nagar,
Kichipalayam, Salem-15.



7. Prasath
S/o.Mariappan,
188, Mookaneri,
Chinna Thirupathi,
Salem district.

..Petitioners

Vs

1. State of Tamil Nadu
Rep.by,
Inspector of Police,
Vellakovil Police Station,
Tiruppur District.
Cr.No.1687/2020
2. Hitesh Saventhilal Kurtha
S/o.Seventhilal,
603, Muthur road,
Vellakovil,
Kangayem TK,
Tirupur district.

..Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the entire records quash the final report filed in SC.No.331 of 2025 on the file of the III Additional district and Sessions Judge, Dharapuram, as against the petitioners and pass such other further or other orders as may be necessary.

For Petitioners: Mr.V.Regunathan

For Respondents: Mr.R.Rajasekaran,
Government Advocate (Criminal side) For R1



ORDER

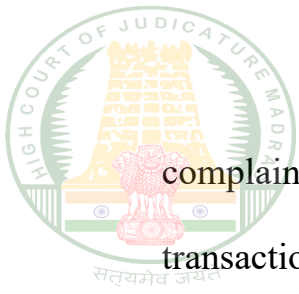
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The Criminal Original Petition is filed to quash the final report and proceedings in S.C.No.331 of 2025 on the file of the III Additional District and Session Judge, Dharapuram, on compromise.

2. The Joint Compromise Memo is filed and the supporting affidavits are also filled. The *de facto* complainant is present before this Court and upon examination, he would submit that the case can be quashed on compromise.

3. I have gone through the allegations contained in the final report as well as the First Information Report and the 161 statement recorded during the course of investigation. It contains the details of several monetary transactions between the accused and the *de facto* complainant, including investing in Demat account and at one point of time, when the money became due, it is alleged that they took the *de facto* complainant in a vehicle, against his wish, and they have taken him to the forest area and threatened him and tried to extract money. Hence, the case was registered and the offence is taken cognisance under Sections 147 and 365 of the Indian Penal Code.

4. A closer scrutiny of the allegations would reveal that it will not have any societal impact but is a private transaction between the *de facto*



complainant and the accused. The entire issue arises out of series of money transactions that are alleged on behalf of the parties.

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5. In view thereof, I am of the view that this case would fall within the gamut of cases where this Court can interfere and watch the proceedings in exercise of the extraordinary jurisdiction under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 as per the law laid down by the Honourable Supreme Court of India in *Gian Singh vs. State of Punjab*¹.

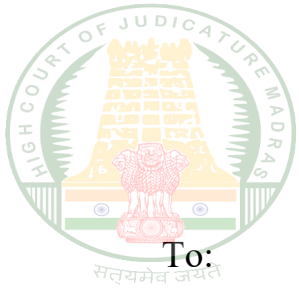
6. Accordingly, this Criminal Original petition stands allowed; Crime No.1687 of 2020 stands quashed and the final report and all further proceedings in S.C.No.331 of 2025 on the file of the III Additional District and Session Judge, Dharapuram stands quashed. Consequently, connected miscellaneous petitions are closed.

03-07-2026

Neutral Citation: No

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¹Reported in 2012 (10) SCC 303



To:

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1. State of Tamil Nadu
Rep.by,
Inspector of Police,
Vellakovil Police Station,
Tiruppur District.
Cr.No.1687/2020
2. Hitesh Saventhilal Kurtha
S/o.Seventhilal,
603, Muthur road,
Vellakovil,
Kangayem TK,
Tirupur district.
3. The Public Prosecutor,
High Court of Madras.



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CRL.O.P.No.15121 of 2



D.BHARATHA CHAKRAVARTHY J.

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Order made in
CRL.O.P.No.15121 of 2026

Dated:
03-07-2026