



CrI.O.P.(MD)No.7707 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.7707 of 2025

1. Jegan

2. Reeganraj

3. Sivakumar

4. Reslin

... Petitioners/Accused
Nos.1 to 4

Vs

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Samayapuram Police Station,
Trichy District.
(Crime No. 105 of 2025).

...1st Respondent/Complainant

2. Suganya

...2nd Respondent/Defacto
Complainant

3. Selfin Flinda

...3rd Respondent/Victim

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the FIR in Crime No.105 of 2025 on the file of the 1st respondent Police and quash the same as illegal.



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For Petitioner : Mr.Lenin Kumar.T

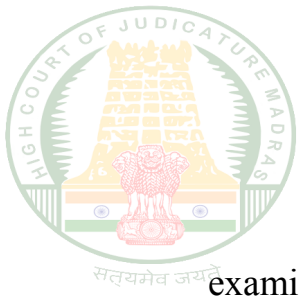
For R1 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

For R2 and R3 : Mr.D.Venkatesh

ORDER

The petitioners are the accused in First Information Report registered in Crime No.105 of 2025 for the offence under Section 87 of BNS, 2023 on the file of the first respondent Police Station. They have filed this application to quash the proceedings pending against them, on the ground that the issue has been amicably settled among themselves.

2. The case has been registered for the offence under Section 87 of BNS, 2023, which is not compoundable. However, the Hon'ble Supreme Court, in *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath* [2017 9 SCC 641] and in *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* [(2019) 2 MLJ Crl 10], has given sufficient guidelines that must be taken into consideration by the Court while exercising its jurisdiction under Section 482 of Cr.P.C, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily



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examine whether the crime in question is purely individual in nature or a crime against the society with overriding public interest. It has been repeatedly cautioned that offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

3. The case of the prosecution is that the first petitioner had compelled the third respondent to love him and had even approached her parents at their residence to speak about their marriage, but the third respondent made it clear that she was not interested in him. Thereafter, on 02.04.2025 at about 7.30 p.m., when respondent Nos.2 and 3 were standing in front of their house, the petitioners allegedly came in a car bearing Registration No. TN-48-BJ-4653 and took away the third respondent. When the second respondent and a neighbour attempted to prevent them, the petitioners fled from the place. Hence, the present complaint.

4. The petitioners, the defacto complainant, and the victim are present before this Court. The defacto complainant has stated that the first accused is none other than her brother's son and the victim is her daughter. She further submits that since her brother, who is the father of the first



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petitioner, has undertaken to perform the marriage between the first petitioner and the victim, she is not inclined to prosecute the case any further. The victim, aged about 23 years and a graduate, is also present before this Court. She has stated that she was in love with the first petitioner and that she had voluntarily accompanied him.

5. Since the conflict is between the private individuals and not affecting the Society at large, this Court entertained this petition, ordered notice and also directed the investigation officer to ascertain as to whether the compromise arrived between the parties is a voluntary one, without any threat or coercion.

6. The petitioners and the defacto complainant are present before this Court today and submitted that on the intervention of the elders, they have amicably resolved their issue. To that effect, they have also filed a joint compromise memo dated 29.07.2025.

7. The investigation officer, after verification, has filed a report that the compromise arrived upon between the parties is genuine, without any threat or coercion.



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8. This Court has verified the parties with their Aadhar Cards and also verified as to the present status. The parties have expressed their willingness to solve the issue.

9. In the case on hand, the offences are purely individual / personal in nature and the conflict is between the private individuals and it is not affecting the Society at large. It involves the petitioners and the defacto complainant. Quashing the case will not affect any overriding public interest. The defacto complainant herself has submitted that she does not want to prosecute the case any further. Under such circumstances, no useful purpose will be served in keeping the case pending, even though some of the offences involved are not compoundable in nature. On the other hand, keeping the proceedings pending will only swell the mental agony of the parties.

10. In view of the above position and following the guidelines issued by the Hon'ble Supreme Court in the cases referred supra, this Court is inclined to quash the proceedings, though certain offences are non-compoundable, in order to avoid further conflict between the parties.



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11. Accordingly, this original petition is allowed and the proceedings in FIR registered in Crime No.105 of 2025 on the file of the 1st respondent Police is hereby quashed. The joint compromise memo dated 29.07.2025 signed by the parties, shall form part and parcel of this order.

01.08.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Indu

To

1. The Inspector of Police,
Samayapuram Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

Indu

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