



Crl.O.P.No.2675 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2675 of 2026

1. V.Bimaraw
2. V.Bradeep
3. V.Dhanalakshmi ... Petitioners

Vs.

1. The Inspector of Police,
All Women Police Station,
Villupuram.
(Crime No.47 of 2022)
2. Radhika ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to P.R.C.No.8 of 2025, pending on the file of the Additional Mahila Court, Villupuram and to quash the same.

For Petitioners : Mr.K.Shyam Sunder
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)
For R2 : Mr.B.Pugazhvendan



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ORDER

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The present Criminal Original Petition has been filed seeking to quash the proceedings in P.R.C.No.8 of 2025, on the file of the Additional Mahila Court, Villupuram, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

2. Heard both sides and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.47 of 2022 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 417, 376, 294(b) and 506(I) of IPC. After completion of investigation, a charge sheet was filed and taken cognizance of, as aforesaid.

4. Learned counsel for the petitioners would submit that the case arises out of a consensual relationship between the first petitioner and the *de facto* complainant, who are close relatives. He further submitted that the first petitioner had promised to marry the *de facto* complainant, but due to a misunderstanding, the proposal for marriage was delayed. In the meantime, the *de facto* complainant has preferred a complaint against the petitioner

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alleging that the first petitioner had cheated her, had sexual intercourse with her and thereafter, refused to marry her. Subsequently, the first petitioner married the de facto complainant on 24.11.2023 and their marriage was also registered on the same day and as on date, the first petitioner and the de facto complainant are living together as husband and wife. He also submitted that when the petitioner and the de facto complainant have compromised the matter, no useful purpose would be served by continuing the impugned proceedings; hence, the impugned proceedings may be quashed on the ground of compromise.

5. Learned Government Advocate (Crl. Side) appearing on behalf of the first respondent submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether the offences of this nature can be quashed on the ground of compromise between parties.

6. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mrs.Kamachi, WHC, All Women Police Station, Villupuram.



7. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

8. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court, in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat***, reported in (2017) 9 SCC 641, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 BNSS), to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be quashed by this Court.

9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners



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and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the proceedings pending against the petitioners in P.R.C.No.8 of 2025 on the file of the Additional Mahila Court, Villupuram, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in P.R.C.No.8 of 2025 on the file of the Additional Mahila Court, Villupuram, is quashed as against the petitioners.

11. The affidavits and the Joint Memo of Compromise dated 27.01.2026 filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

05.02.2026

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Neutral Citation: Yes/No



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A.D.JAGADISH CHANDIRA, J.

vkr

To

1. The Additional Mahila Court, Villupuram.
2. The Inspector of Police,
All Women Police Station,
Villupuram.
3. The Public Prosecutor, High Court of Madras.

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