



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5027 of 2026

1. M.Shankarkumar
2. N.Hari Krishnan
3. D.Kavitha

Petitioners

Vs

- 1.The State rep.by
Sub Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai 600 019
(Crime No.279 of 2019)

- 2.M.Gayathri
- 3.K.Krishnaraj

Respondents

PRAYER

This criminal original petition is preferred under section 528 of BNSS, 2023 seeking to call for the records pertaining to CC.No.41/2021 on the file of the learned Judicial Magistrate, Tiruvottiyur and quash the same by allowing this Criminal Original Petition and pass such further or other suitable orders as this Hon'ble Court deems fit and thus render justice.

For Petitioners:	Mr.M.Aaruseela Sudhakar
For Respondents:	Mr.Leonard Arul Joseph Selvam Additional Public Prosecutor For R1 Mr.S. Sathish Kumar For R3



ORDER

The petitioners/accused nos.2 to 4 who are facing trial for the alleged offences under sections 342, 323, 365, 506(i) read with section 34 of IPC, has filed this criminal original petition seeking to quash the C.C.No.41 of 2021 on the file of the learned Judicial Magistrate, Tiruvottiyur.

2.Mr.M.Aaruseela Sudhakar, learned counsel for petitioners is before this Court. Mr.Leonard Arul Joseph Selvam, learned Additional Public Prosecutor took notice for the first respondent. Mr.S.Sathish Kumar, learned counsel appeared for the third respondent.

3.It is the case of the petitioners that the defacto complainant/second respondent, who is a relative of the victim third respondent had lodged a complaint stating that when the victim Mr.Krishnaraj was working in Tambaram, he had developed a love affair with one Ms.Divya and later, not satisfied with her conduct, he had snapped his relationship with her but, the said Divya and her mother had compelled him to marry her and gave trouble to him. On 23.03.2019, one Advocate Mr.Saravanan had called the victim to come and meet him to resolve the issue. Therefore, the victim, defacto complainant and one of their advocate Mr.Vasanthakumar had gone to meet them near a temple. At that time, the accused persons wanted to speak to the victim alone and



suddenly, the accused persons pushed the victim into the car and have taken him away and have physically assaulted him. They forced him to marry the said Divya and therefore, a complaint has been lodged. On conclusion of the investigation, a charge sheet has been filed, listing the witnesses L.W.1 to L.W.9 and documents.

4.It is the contention of the learned counsel for petitioners that the petitioners have been falsely implicated in this case due to the dispute of the defacto complainant with Ms.Divya. The case has been projected as if the petitioners were instrumental in abducting the victim near the temple. Admittedly, the petitioners were not aware as to what was happened to victim and it was an independent act for which the petitioners were falsely implicated. In this case, Accused no.1 is no more. Now the dispute between the petitioners and the third respondent have been resolved between them and both of them have agreed for a compromise and to give a quietus to the case.

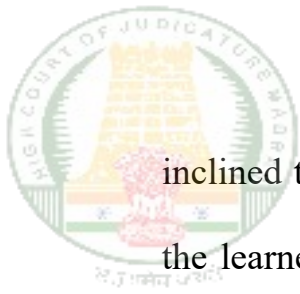
5.The learned Additional Public Prosecutor appearing for the first respondent police has submitted that on the complaint given by the second respondent, a case came to be registered. The third respondent in this case is the victim. The petitioners have called the third respondent near the temple for a talk and they have arranged a car and the musclemen who have abducted the



third respondent in a car and he was beaten and manhandled and later, when the public had come to the rescue of the victim, they have fled away from the scene of occurrence.

6.This Court heard the submissions made by the parties. It is seen that on the complaint by the second respondent, a case came to be registered and on investigation, the charge sheet has been filed. The entire case stems out of a broken love affair. Today, the victim and the petitioners are present in Court and both have agreed that the issue has been resolved. It is further submitted by them that a case against the third respondent victim had been lodged at the instance of the third petitioner's daughter Ms.Divya and a case in S.C.No.14 of 2025 on the file of the Principal District and Sessions Court, Tiruvallur is pending. Now that the issue between the parties has been resolved in both the cases, the respective parties have decided to withdraw the cases and to give quietus to the same and wanted to lead their own independent way of life.

7.In the light of the above submissions made by the parties and in view of the fact that the parties have amicably resolved the dispute between them and have arrived at a compromise and that they wanted to lead their independent way of life without any further grievance against each other, no useful purpose would be served by keeping the criminal proceedings pending, this court is



inclined to quash the criminal proceedings in C.C.No.41 of 2021 on the file of the learned Judicial Magistrate, Tiruvottiyur. Accordingly, C.C.No.41 of 2021 on the file of the learned Judicial Magistrate, Tiruvottiyur is quashed. This criminal original petition is allowed. No costs.

04-03-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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To

1.Sub Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai 600 019.

Crime No.279/2019

2.Judicial Magistrate,
Tiruvottiyur.

3.Additional Public Prosecutor,
High Court, Chennai.



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M.NIRMAL KUMAR J.

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