



Crl.O.P. No.10634 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 10634 of 2026

1. Rajeshwari
2. Iyappan
3. Arumugakani
4. Anushiya
5. Dharshini
6. Michael Rajadurai

..Petitioners

Vs.

1. The State rep. by
The Inspector of Police,
Karamadai Police Station,
Coimbatore.

2. Vinoth Kumar
3. Gayathri

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records in C.C. No. 397 of 2025 on the file of Judicial Magistrate, Coimbatore (Crime No. 306 of 2025) and quash the same.

For Petitioners	::	Mr.M. Manibalan
For Respondents	::	Mr.R. Rajasekaran
		Counsel for Govt. of Tamil Nadu
		(Crl.Side) for R1
		Mr.R. Saravanapandian for R2



Crl.O.P. No.10634 of 2026

ORDER

WEB COPY

This criminal original petition is filed to call for the records in C.C. No. 397 of 2025 on the file of Judicial Magistrate, Coimbatore and quash the same.

2. The case of the prosecution is that on 19.06.2025, the petitioners, who are family members of the 3rd respondent herein, namely, Gayathri, are said to have abducted the said Gayathri in a car bearing Registration No.TN 65 AD 4467 and kept her within the confines of their house as she had married the de facto complainant/2nd respondent, a widower with two daughters, which was not acceptable to the petitioners. On the complaint lodged by the de facto complainant/2nd respondent, a case in Crime No. 306 of 2025 was registered by the 1st respondent Police for the offence under Section 140(3) of BNS, 2023. On completion of investigation, charge sheet filed listing 13 witnesses and the same was taken cognizance in C.C. No. 397 of 2025 by the learned Judicial Magistrate, Coimbatore.

3. Learned counsel appearing for the petitioners as well as for the de facto complainant submitted that the petitioners are none other



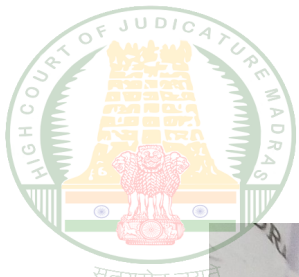
Crl.O.P. No.10634 of 2026

then family members of the 3rd respondent and on the advice of elders and well-wishers, the petitioners and respondents 2 and 3 have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioners. Affidavits by the 1st petitioner (signed by all the petitioners) and the de facto complainant and a Joint Compromise Memo have been filed.

4. The petitioners, the *de facto* complainant/R2 and the victim girl/3rd respondent appeared before this Court and were identified by their respective counsel as well as by Mr.M.Surendran, SI of Police, Karamadai Police Station, Coimbatore District.

5. On interaction by this Court, the *de facto* complainant stated that he has amicably settled the dispute with the petitioners, that the victim girl/3rd respondent is living with him, that the parents of the victim girl/3rd respondent have accepted their marriage and therefore, he is not willing to pursue the criminal proceedings and seeks to quash the same.

6. The Joint Memo of compromise dated 17.03.2026 filed by the parties is scanned and reproduced below:



Crl.O.P. No.10634 of 2026

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Appellate Jurisdiction)

Crl.O.P No. 10634 of 2026

Against
(CC.No. 397/2025 on the file of Judicial Magistrate
Mettupalayam, Coimbatore)

1. Rajeshwari (F/A.49 Years),
W/O. Iyappan.
Door No.11/693/2,
New puthiamuniyasampuram, 4th Street,
Mappilaiurani Post,
Thoothukkudi - 628 002.

2. Iyappan (M/A.61 Years)
S/O. Petchan,
Door No.11/693/2,
New puthiamuniyasampuram, 4th Street,
Mappilaiurani Post,
Thoothukkudi - 628 002.

3. Arumugakani (F/A.40 Years),
W/O. Selvakumar,
No.146/2F, Cruzpuram,
Thoothukkudi - 628 001.

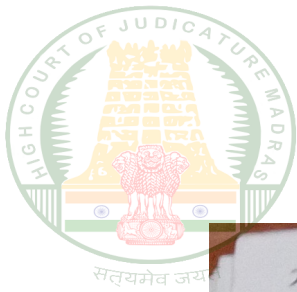
4. Anushiya (F/A.24 Years),
D/O.Iyappan.
Door No.11/693/2,
New puthiamuniyasampuram, 4th Street,
Mappilaiurani Post,
Thoothukkudi - 628 002.

5. Dharshini@Periyadharshini (F/A.19 Years),
D/O.Iyappan,
Door No.11/693/2,
New puthiamuniyasampuram, 4th Street,
Mappilaiurani Post,
Thoothukkudi - 628 002.

6. Michel Rajadurai (M/A.25 Years),
S/o. Ganesan,
No.7/69, Rajapalaiyam,
Arockiapuram post,
Thoothukkudi - 628 002.

.... Petitioners/Accused 1-6

-Vs-



Crl.O.P. No.10634 of 2026

WEB COPY

22
1. The State Represented by
The Inspector of Police,
Karamadai Police Station,
Coimbatore.

..... Respondent No.1/Complainant

2. Vinoth Kumar (M/A.42 Years),
S/O. Pandi,
No.10/10A, Union Tenk Road 2nd Street,
Periyanaickenpalayam,
Sri Ramakrishna Vidyalaya,
Coimbatore - 641 020.

..... Respondent No. 2/Defacto Complainant

3. Gayathri (M/A.21 Years),
W/O. Vinoth Kumar,
Door No.11/693/2,
New puthiamuniyasampuram, 4th Street,
Mappilaiurani Post,
Thoothukkudi - 628 002.

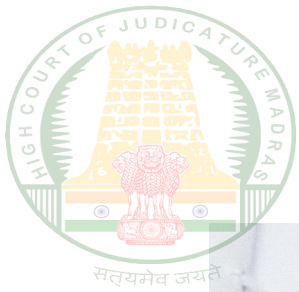
.... Respondent No.3/Victim Girl

JOINT COMPROMISE MEMO

This JOINT MEMO OF COMPROMISE is executed at Chennai on this 17th
day of March 2026.

BETWEEN

1. Rajeshwari W/O. Iyappan, aged about 49 years old presently residing at Door No.11/693/2, New puthiamuniyasampuram, 4th Street, Mappilaiurani Post, Thoothukkudi - 628 002.
2. Iyappan S/O. Petchan, aged about 61 years old presently residing at Door No.11/693/2, New puthiamuniyasampuram, 4th Street, Mappilaiurani Post, Thoothukkudi - 628 002.
3. Arumugakani W/O. Selvakumar, aged about 40 years old presently residing at door No.146/2F, Cruzpuram, Thoothukkudi - 628 001.
4. Anushiya D/O.Iyappan. aged about 24 years old presently residing at Door No.11/693/2, New puthiamuniyasampuram, 4th Street, Mappilaiurani Post, Thoothukkudi - 628 002.
5. Dharshini@Periyadharshini D/O.Iyappan, aged about 19 years old presently residing at Door No.11/693/2, New puthiamuniyasampuram, 4th Street, Mappilaiurani Post, Thoothukkudi - 628 002.



Crl.O.P. No.10634 of 2026

WEB COPY

Michel Rajadurai S/o. Ganesan, aged about 25 years old presently residing at No.7/69, Rajapalaiyam, Arockiapuram post, Thoothukkudi – 628 002. Herein referred to as **“First Party”**

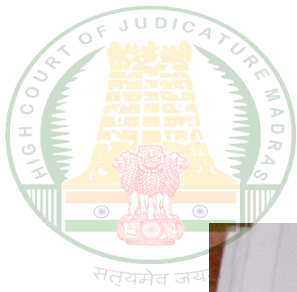
AND

1. Vinoth Kumar S/O. Pandi, aged about 42 years old presently residing No.10/10A, Union Tenk Road 2nd Street, Periyanaickenpalayam, Sri Ramakrishna Vidyalaya, Coimbatore – 641 020.

2. Gayathri W/O. Vinoth Kumar, aged about 21 years old residing Door No.11/693/2, New puthiamuniyasampuram, 4th Street, Mappilaiurani Post, Thoothukkudi – 628 002. herein after referred to as the **“Second Party”**,

The first party and second party humbly submit as follows:

1. The petitioners submit that the case of the prosecution is that on 19.06.2025, the Defacto complainant and his second wife namely Gayathri with her two daughters residing in their home, meanwhile the Gayathri's family members said to be abducted the complainant wife due to non-acceptance of marriage between 2nd and 3rd respondent, hence the above case and based on the complaint given by 2nd respondent the 1st respondent registered the FIR in crime No. 306 of 2025 for the offence under section 140(3) of BNS, 2023 and the charge sheet has been filed on 19.07.2025 in CC.No.397 of 2025 taken on file in Judicial Magistrate Mettupalayam, Coimbatore.
2. The petitioners submits that the 3rd respondent namely Gayathri was a daughter, Sister and close relative of petitioners and they further submit that with the help of elders and family members of the petitioners and 2nd, 3rd respondent they have tried to resolve the issue in amicable way during the pendency of the above CC.No.397 of 2025 in crime no.306 of 2025 on the file of Judicial Magistrate, Coimbatore, the petitioner and the 2nd respondent were compromised their dispute in an amicable way and the above incident happened due to misunderstanding. Hence mediation was happened in front of the



Crl.O.P. No.10634 of 2026

WEB COPY

24

elders and compromise was arrived between the parties with
terms and conditions which as follows:

- (i) The second party agreed to withdraw the above case pending against the first party in CC.No.397 of 2025 in crime no.366 of 2025 on the file of Judicial Magistrate, Coimbatore
- (ii) The first party agreed that they will maintain good relationship with the second party,
- (iii) The first party and second party agreed that they will not enter any further dispute with regard to above issue,

2. The above memorandum of compromise was arrived between the first party and second party on their fullest knowledge free from any force and coercion,

Dated at Chennai on this 17th Day of March, 2026

First Party

பிரஜாஜி
P. Vigneshwari
S. சந்திரா கிருஷ்ணா
J. Anurag
J. Dharshini
Michel Rajadurai

Second Party

P. VIDATH KUMAR
I. Gayathri



Crl.O.P. No.10634 of 2026

WEB COPY

7. The Learned Government Counsel (Criminal Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offence of this nature can be quashed on the ground of compromise between parties.

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 offence 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



Crl.O.P. No.10634 of 2026

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 offence in question is purely individual/personal in nature. It involves dispute between the petitioners and respondents 2 and 3 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 C.C.No.397 of 2025 on the file of Judicial Magistrate, Coimbatore, 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 C.C.No.397 of 2025 pending on the file of Judicial Magistrate, Coimbatore, is quashed as against the petitioners.

11. The affidavits and the Joint Memo of Compromise filed by the petitioners and the 2nd and 3rd respondents for compromising the offences shall form part of the records.

05.06.2026

nv

9\10



WEB COPY



Crl.O.P. No.10634 of 2026

M. NIRMAL KUMAR,J.

nv

To

1. The Judicial Magistrate,
Coimbatore.
2. The Inspector of Police,
Karamadai Police Station,
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P. NO. 10634 of 2026

05.06.2026

10\10