



WEB COPY

CRL OP No. 9453 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9453 of 2026

AND

CRL OP NO. 2592 OF 2024, CRL MP NO. 2070 OF 2024, CRL MP NO. 6688 OF 2026

S.Karthikeyan
S/o.R.Subramanian,
Flat No.JT-1, Navin Jayaram Garden,
River View Road, Manappakkam,
Chennai - 600125.

..Petitioner(s)

Vs

1. State by, The Inspector of Police,
All Women Police Station,
Coimbatore City,
Coimbatore.
Cr.No.53 of 2023
2. Kanakatharini
D/o.Balu,
No.7, GD Naidu Nagar,
Avinashi Road,
Civl Aero Drome Post,
Coimbatore - 641 014.

..Respondent(s)

CRL OP No. 2592 of 2024

1. R.Subramanian
S/o. S.Ramakrishnan, Flat No.Jt-1, Navin
Jayaram Garden, River View Road,
Manappakkam, Chennai - 600 125.
2. S. Kanchana
W/o. R.Subramanian, Flat No.Jt-1, Navin
Jayaram Garden, River View Road,
Manappakkam, Chennai - 600 125.

..Petitioner(s)



Vs

1. State By

The Inspector Of Police, All Women Police
Station-east, Coimbatore City, Coimbatore.
Cr.No.53 Of 2023.

2. Kanakatharini

D/o. Balu, No.7, Gd Naidu Nagar, Avinashi
Road, Civil Aero Drome Post, Coimbatore -
641 014.

..Respondent(s)

CRL OP No. 9453 of 2026

Criminal Original Petition is filed under Section 482 Cr.P.C. to Call for the entire records concerned in Cr.No.53 of 2023 on the File of the Inspector of Police, All Women Police Station-East, Coimbatore City, Coimbatore and quash the same in so far as the petitioner in concerned and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

CRL OP No. 2592 of 2024

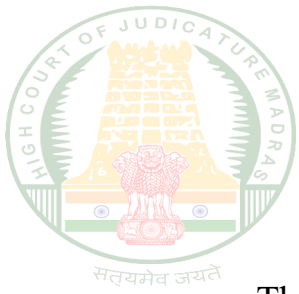
Criminal Original Petition is filed under Section 482 Cr.P.C. to call for the entire records concerned in Cr.NO.53/2023 on the file of the Inspector of Police, All Women Police Station, East Coimbatore city, Coimbatore and quash the same.

In both petitions:

For Petitioner(s): M/s.C.Prakasam

For Respondent(s): M/S.R. RAJASEKARAN GA (CRL. SIDE) For
R1

Mr.I.Ganesan for R2



COMMON ORDER

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The petitioners who are accused in Cr.No.53 of 2023 filed for the offences under Section 354A, 498(A) and 506(i) IPC have filed these quash petitions.

2. The learned counsel for the petitioners / A1, A2 and A3 submitted that the second respondent / *de facto* complainant is none other than the wife of A1 and daughter-in-law of A2 and A3. There were also other proceedings pending between them in DVC No.34/2024 before the Special Court, Coimbatore and a divorce petition in H.M.O.P.No.741 of 2026. He further submitted that during the pendency of the above petition, the matter was referred to mediation in mediation file No.144/2024 and the issue between the petitioners and the *de facto* complainant was resolved. Following the same, the petitioners have paid a sum of Rs.30,00,000/- as permanent alimony and further the second respondent had also filed a petition in Crl.M.P.No.1214/2025 on 28.04.2025 to withdraw the DVC petition. The divorce petition is also to be ordered shortly.

3. As the parties have now amicably settled the issue among themselves, they seek to quash the First Information Report as against the petitioners. A Joint Memo of Compromise to that effect has also been filed.



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4. The petitioners / A1, A2 and A3 and the *de facto* complainant are present before this Court and they were identified by their respective counsel.

5. On being enquired by this Court, the parties confirmed the compromise entered between them. 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.

6. The learned Counsel for Government of Tamil Nadu appearing on behalf of the respondent police submitted that though the parties entered into a compromise while this case is pending, 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.

7. 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.

8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners 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 First Information Report in Crime No.53 of 2023, pending on the file of the Second respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

9. Accordingly, these Criminal Original Petitions are allowed and the First Information Report in Crime No.53 of 2023, pending on the file of the respondent police, is quashed as against the petitioners. The petitioners are discharged of all the charges.



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

Consequently, the connected Criminal Miscellaneous Petition is closed.

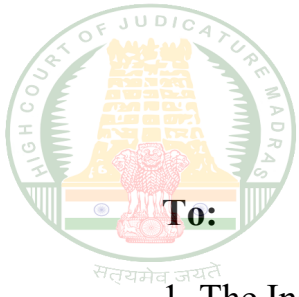
05-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

BKN



To:

1. The Inspector Of Police,
All Women Police Station-east,
Coimbatore City,
Coimbatore. Cr.No.53 Of 2023.

2. Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.

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