



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14811 of 2026

1. Hemanth
2. Gnanammal
3. Narasimma Moorthy
4. Sonia
5. Dhilip Kumar

..Petitioner(s)

Vs

1. State rep.by
Inspector of Police,
All Women Police Station,
Coimbatore South.
Cr.No.1/2025.

2. Jenifer

..Respondent(s)

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records relating to Cr.No.1 of 2025, pending on the file of the 1st respondent police and quash the same.

For Petitioner(s):

Mr.T.N.Rajagopalan

For Respondent(s):

Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side)



ORDER

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The petitioners, who are A1 to A5 in Crime No.1 of 2025 on the file of the 1st respondent Police, registered for the offences under Sections 376(1), 313, 323 and 109 IPC, have filed the present quash petition.

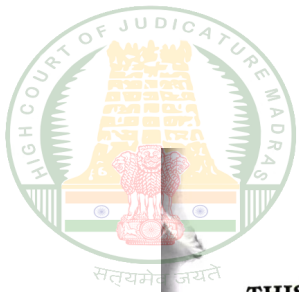
2.The case of the prosecution is that, while the 1st petitioner and the 2nd respondent / *de facto* complainant were studying MBA at M/s.Sri Krishna College of Engineering and Technology, they developed an affair and had gone to the extent of having conjugal relationship on the assurance given by the 1st petitioner that he will marry the 2nd respondent after finishing the studies. Both of them got a job and on 06.07.2023, both of them went to a hotel and had physical relationship and when the *de facto* complainant complained about medical issues, on 23.08.2023, the 1st petitioner forced the *de facto* complainant to swallow some pills to avoid pregnancy. Thereafter, they continued their relationship through WhatsApp. When the *de facto* complainant got a job in Coimbatore, the 1st petitioner asked her not to join the job and to stay with him at Bangalore. During that period, the 1st petitioner forced the *de facto* complainant to have physical relationship with him. When she insisted for marriage, he refused and there was a quarrel between them and on one occasion, the *de facto* complainant attempted to commit suicide by swallowing sleeping pills. After coming to know of the same, the parents intervened and the parents



of the 1st petitioner agreed for marriage. On 29.06.2025, when marriage talks were going on, the parents of the 1st petitioner insisted for dowry of Rs.10,00,000/-, but the parents of the *de facto* complainant expressed their inability to offer the same. Thereafter, when the *de facto* complainant and her relatives tried to contact the 1st petitioner and his family, they did not respond by giving excuses. Therefore, the *de facto* complainant has lodged a complaint with the 1st respondent Police. Based on the same, the respondent Police registered the case in Crime No.1 of 2025 as against the 1st petitioner, his parents (petitioners 2 and 3), his sister (4th petitioner) and her husband (5th petitioner).

3.By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4.Accordingly, the petitioners have filed the present quash petition accompanied with a joint compromise memo, dated 25.03.2026, filed by A1 to A5 and the 2nd respondent/*de facto* complainant, stating that the parties have decided to resolve the dispute amicably and after several rounds of discussions, they have decided to buy peace and give a quietus to the issues. They have also filed individual affidavits to that effect. The said joint compromise memo is scanned and reproduced hereunder :

**MEMORANDUM OF COMPROMISE**

THIS MEMORANDUM OF COMPROMISE made at Chennai on this 25th Day of March, 2026.

BETWEEN

1. Mr. Hemanth, (AADHAR No.8300 7750 4974) S/o Mr.Narasimma Moorthy, aged about 25 years, residing at Door No.11B-1 Kempatty Colony, No7, Bharthinagar, Coimbatore - 64100, hereinafter called the FIRST PARTY OF THE FIRST PART.
2. Mrs. Gnanammal, (AADHAR No.9221 2612 7601) W/o Mr.Narasimma Moorthy, aged about 55 years, residing at Door No.11B-1 Kempatty Colony, No7, Bharthinagar, Coimbatore - 64100, hereinafter called the SECOND PARTY OF THE FIRST PART.
3. Mr. Narasimma Moorthy, (AADHAR No.8236 8325 9104), aged about 58 years, residing at Door No.11B-1 Kempatty Colony, No7, Bharthinagar, Coimbatore - 64100, hereinafter called the THIRD PARTY OF THE FIRST PART.
4. Mrs. Sonia, (AADHAR No.2301 2963 7926), aged about 25 years, residing at Door No.11B-1 Kempatty Colony, No7, Bharthinagar, Coimbatore - 64100, hereinafter called the FOURTH PARTY OF THE FIRST PART.
5. Mr. Dhilip Kumar, (AADHAR No.9185 6293 8206), aged about years, residing at Door No.11B-1 Kempatty Colony, No7, Bharthinagar, Coimbatore - 64100, hereinafter called the PARTY OF THE FIRST PART.

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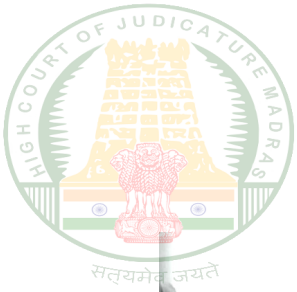
2. Soniya

3. N. Gnanammal

4. Dhilip

5. Narasimma murthy

5. Narasimma murthy



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AND

Ms. Jenifer, (AADHAR No. 8829 4841 0474) D/o. Arokiya Dhanaseelan, Christian aged about years, residing at Door No 60/A-5, Kandavel Illam, Neharu Nagar, Ramanathapuram, Coimbatore-641045, hereinafter called the **PARTY OF THE SECOND PART** (which expression shall, unless repugnant to the context, mean and include his heirs, executors, administrators and assigns), of the Other Part.

WHEREAS the party of second part has lodged police complaint as against the parties of first part and the said complaint has been registered on 05.10.2025 in Cr.No.1/2025 for the offences U/s 376(1), 313, 323 r/w 109 IPC on the file of the All Women Police Station, Coimbatore South.

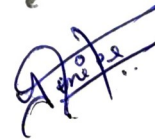
WHEREAS the parties of the first part moved an Anticipatory bail petition before this Hon'ble Court in Crl.OP.No.28636 and 28637 of 2025. At the time of Hearing of the said case, at the consent of both the parties it was referred to Mediation. In the Mediation the party of the second part agreed to receive a sum of Rs.19,00,000/- from the first part of the first party towards final settlement of the issue.

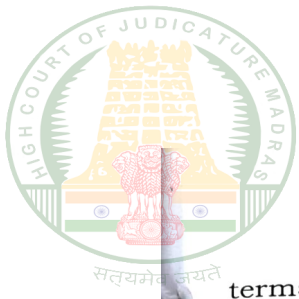
WHEREAS Pending proceedings the Parties have decided to resolve the dispute amicably and after several rounds of discussions and to buy peace have decided to enter into compromise on the following terms and conditions.

1.  Arokiya Dhanaseelan

1. N. Gnanammal 

1. Narashimamurthy





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AND WHEREAS the parties hereto have worked out the terms and conditions of their compromise and also decided to reduce the same into writing;

NOW, THIS COMPROMISE MEMO WITNESSES, as follows

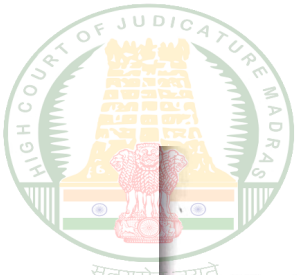
1. That the parties hereto do hereby declare and confirm that the memorandum of compromise under these presents does not amount to any collusion on their part, and they do hereby further and once again declare and confirm that they sincerely enter into and execute this memorandum of compromise only with their full consent and final agreement.
2. That the Parties of the First Part in order to give quietus to the issue shall pay a sum of Rs.19,00,000/- (Rupees Nineteen Lakhs only) to the Party of the Second Part in the following manner :
 - a) Rs.10,00,000/- by way of Demand Draft dated 20.3.2026 bearing No. 003737 drawn on IDBI Bank, Coimbatore Branch.
 - b) Rs.9,00,000/- by way of Demand Draft dated 20.3.2026 bearing No. 003738 drawn on IDBI Bank, Coimbatore Branch to the Party of the Second Part.
3. That the Party of the second part shall withdraw the complaint as against the parties of the first part registered in Cr.No.1/2025 on the file of the All women Police Station, Coimbatore South.

1.  Soniya N

1. N. Gnanammal 

1. Narasimamurthy





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4. That the both parties have no claim as against each others

1. *[Signature]* *[Signature]*

2. N. Annammal *[Signature]*
Marashimamurthy
PARTY OF FIRST PART

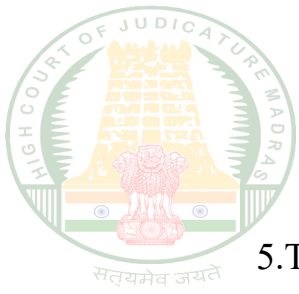
[Signature]
PARTY OF SECOND PART

Witnesses

1. *[Signature]*

P. BABU. PH: 9626542060
11/8, Viswanathapuram.
Kumaragar Road.
Mayi Koduthurai.

2. S. Anandhan
bp/AS. Kertanaduram PH: 9498171635
Mehar Nagar
Ramanatha Puram
Coimbatore



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5. Today, the petitioners (A1 to A5) and the 2nd respondent / *de facto* complainant are present before this Court and they are identified by their respective counsel. The parties have expressed their willingness to compromise the matter and compound the offences pending against the accused. The 1st petitioner and the 2nd respondent are both major and educated persons. They knowingly had a conscious relationship, fully aware of its consequences. A marriage proposal was also mooted between them, but due to some reasons, the marriage could not proceed. It is ascertained that they have now arrived at a compromise on their own will and without any compulsion.

6. One important 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.

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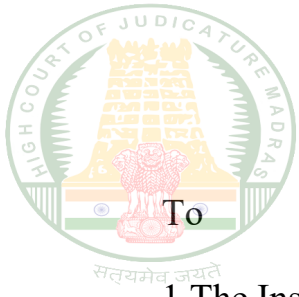
7.However, considering the facts of the case, it can be seen that the offence in question is purely individual in nature and the parties themselves have now come forward to settle the matter amicably. Therefore, quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing the criminal proceedings. After exercising due caution as advised by the Hon'ble Supreme Court in *The State of Madhya Pradesh v. Dhruv Gurjar and Another* reported in (2019) 2 MLJ CrI 10), this Court, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS, is inclined to quash the proceedings pending against the petitioners.

8.In view of the above, this Criminal Original Petition is allowed and the case as against the petitioners in Crime No.1 of 2025 on the file of the 1st respondent Police, is hereby quashed. The joint compromise memo filed by the parties and the individual affidavits filed by the parties shall form part of the records.

18-06-2026

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

MKN



To

1. The Inspector of Police,
All Women Police Station,
Coimbatore South.

2. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 14811 of 2



M.NIRMAL KUMAR J.

MKN

CRL OP No. 14811 of 2026

18-06-2026