



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14088 of 2026

and

CrL.MP.No.8997 of 2026

B.Baskar S/o.Balaraman,
No. 2/523, Brahmin Street,
RK Pet Village and Post,
RK Pet Taluk, Thiruvallur District 631303

..Petitioner(s)

Vs

1. The State Represented by
Inspector of Police,
D-1,Thiruthani Police Station,
Thiruvallur District
(crime.no. 209 of 2026)

2. Susila W/o. Duraisamy,
No.15/5, Salai Street,
Kondapuram, RK Pet Taluk,
Thiruvallur District 631 303.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS to call for the records in Crime No.209 of 2026 on the file of the 1st respondent and quash the same and thus render justice.

For Petitioner(s):

Mr.N. Suriyamuthu

For Respondent(s):

Mr.R. RAJASEKARAN

Govt. Advocate (CRL. SIDE) for R1

ORDER

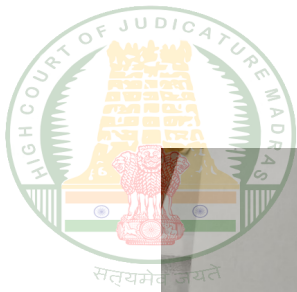
The petitioner/accused in crime No.209 of 2026 for offences under Sections 127(2), 191(2) and 140(3) of BNS, 2023 filed this quash petition.



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2.The case against the petitioner is that on 15.04.2026, the Defacto complainant's son, who is working as a Clerk in paddy Center, Thommur Village, Thiruvallur District, was returning from his workplace to his resident on his motorcycle bearing Registration No.TN 20 EZ 6079 (Yamaha MT 15) at around 9.00 pm, the petitioner, along with four unidentified associates, intercepted the complainant's son, Rajkumar, near the Tiruttani-Pothatturpettai junction and forcibly abducted him in a Maruthi Suzuki Ertiga (TN 20 DY 0852) under the suspicion that Rajkumar assisted the accused daughter in eloping two days prior. Hence, lodged a complaint. Based on the complaint, the respondent police registered a case in crime No.209 of 2026 for offences under Sections 127(2), 191(2) & 140(3) of BNS, 2023).

3.The learned counsel appearing for the petitioner as well as the learned counsel for the defacto complainant/second respondent submitted that the petitioner's daughter eloped with a person known to the son of the defacto complainant and the son of the defacto complainant was friend of the said person. Hence, there was some misunderstanding. Now, the parties entered into compromise among themselves. Hence, they seek to quash the proceedings pending against the petitioner and in this regard, a Compromise Memo entered into between them, which was scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Crl OP. No 14088 of 2026

In
Crime No.209 of 2026
(On the file of the Inspector of Police, D-1,Thiruthani
Police Station, Thiruvallur District)

B.Baskar, M/53
S/o Balaraman,
No 2/523, Brahmin Street,
Rk Pet Village & post,
Rk Pet Taluk,
Thiruvallur District-631303

... Petitioner/Accused

-Vs-

1. The State represented by
Inspector of Police,
D-1,Thiruthani Police Station,
Thiruvallur District.
Crime No.209 of 2026

....Respondent/Complainant

2. Susila
W/o Duraisamy,
No.15/5, Salai Street,
Kondapuram, RK Pet Taluk,
Thiruvallur District-631303

...Respondent/Defacto-Complainant

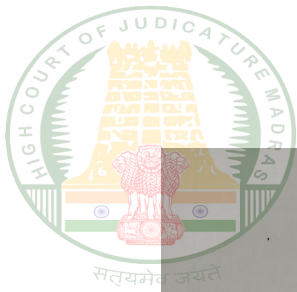
**JOINT-COMPROMISE MEMO FILED BY PETITIONERS
AND DEFACTO COMPLAINANT**

1. It is submitted by the parties that the above petition arises out of the FIR registered on the file of the Respondent Police. The parties to the case have decided to bury their past

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B.B. [Signature]

Signed by : SIVAKUMAR A
location : THIRUTHANI
Date : 16-04-2026 18:29:52



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misunderstandings and want to lead a peaceful life by forgetting the bitter incidents that arose between them.

2. It is submitted that the Petitioner's daughter had eloped with a person known to the son of the Defacto Complainant. The son of the Defacto Complainant was only a friend of the said person. In the course of searching for his daughter, the Petitioner had merely requested the Defacto Complainant's son to show the whereabouts and residence of the said person. However, the same was completely misunderstood by the Defacto Complainant and his family members as if the Petitioner had wrongfully restrained and threatened their son, which ultimately resulted in lodging the complaint and registration of the FIR in Crime No.209 of 2026.

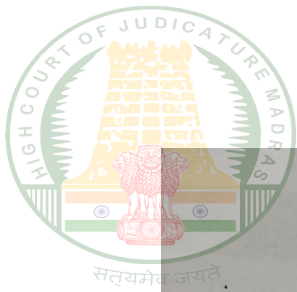
3. It is submitted that the allegations made in the complaint arose purely out of personal and family misunderstandings and not out of any criminal intention on the part of the Petitioner.

4. It is submitted that the Defacto Complainant and the Petitioner have now amicably resolved all their disputes and differences with the intervention of elders, relatives and well-wishers.

5. It is submitted that the Defacto Complainant has realized that due to the misunderstanding and emotional circumstances prevailing at the relevant point of time, the

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complaint came to be lodged against the Petitioner and the Defacto Complainant is no longer interested in prosecuting the matter further.

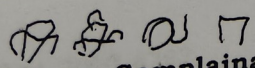
6. It is submitted that there is no subsisting grievance between the parties and both the Petitioner and the Defacto Complainant have agreed to maintain cordial relationship hereafter.

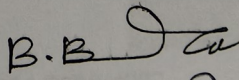
7. In such circumstances, continuation of investigation or further proceedings against the Petitioner in Crime No.209 of 2026 would cause unnecessary hardship to both parties and would amount to abuse of process of law.

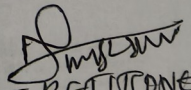
8. It is submitted that since the dispute is purely misunderstanding and private in nature and the parties have voluntarily entered into compromise, this Hon'ble Court may kindly record the compromise and quash the FIR in Crime No.209 of 2026 pending on the file of the Respondent Police.

Therefore, it is prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo filed by the parties and call for the entire records connected with Crime No.209 of 2026 pending on the file of the Respondent Police and quash the same and thus render justice

Dated at Chennai on this 30th day of June, 2026


Defacto Complainant


Petitioner


COUNSEL FOR THE PETITIONER



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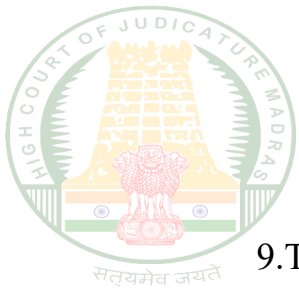
4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that there was some misunderstanding between the parties. Though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

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

6.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

7.The petitioner and the de facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by G.Annadurai, SSI, D1, Tiruttani Police Station, Thiruvallur District.

8.On being enquired by this Court, the defacto complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.



9.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 petitioner. 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.

10.In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent defacto complainant 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 petitioner in crime No.209 of 2026 on the file of the first respondent police.



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11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.209 of 2026 pending on the file of the first respondent police, is quashed as against the petitioner. Consequently, connected miscellaneous petitions is closed.

12. The affidavit and the Compromise Memo filed by the petitioner and the second respondent defacto complainant for compromising the offences shall form part of the records.

05-06-2026

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

To

1. The Inspector of Police,
D-1, Thiruthani Police Station,
Thiruvallur District
(crime.no. 209 of 2026)
2. The Public Prosecutor
High Court, Madras.



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CRL OP No. 14088 of 2



M.NIRMAL KUMAR, J.

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CRL OP No. 14088 of 2026
and
CrI.MP.No.8997 of 2026

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