



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11373 of 2026

Venkatesh
S/o Tamilselvan,
No.21/2, PKS.Nagar,
Therku Devathanam, Viruthunagar,
Tamil Nadu -626121.

..Petitioner(s)

Vs

1. State rep. by The Inspector of Police
W-7, Anna Nagar All Women Police Station,
Anna Nagar, Chennai -600040.
2. Soniya
D/o Maniyarasu,
No.6, VOC, 1st Street,
Padmanaban Street, Choolaimedu,
Chennai -94

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS to call for the records relating to SC.No.222 of 2025, on the file of Hon'ble Sessions Judge, Magalir Neethimandram, Allikulam, Chennai and quash the same as against the petitioner.

For Petitioner(s): Mr.M.Maria Joseph Vincent

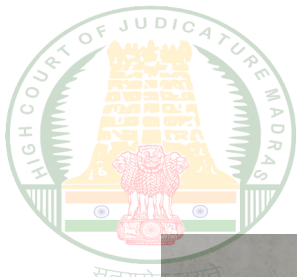
For Respondent(s): Mr.R.Rajasekaran
Govt. Advocate (Crl.side)
For R1

**ORDER**

The petitioner/accused facing trial in S.C.No.222 of 2025 for offences under Sections 318(2), & 64 BNS filed this quash petition.

2.The case against the petitioner is that the petitioner and the defacto complainant knew each other through instagram and were in love for about six months. Thereafter, the petitioner promised to marry the defacto complainant and both had a physical relationship after booking OYO room at Thoraipakkam through online. After two months, the petitioner didn't speak to the defacto complainant. Hence, she contacted the petitioner and insisted that he marry her, for that, the petitioner refused to marry her due to different religion and community. Hence, the complaint lodged.

3.The learned counsel appearing for the petitioner as well as the learned counsel for the second respondent/defacto complainant submitted that it is a love affair. Now on the intervention of elders, both the parties amicably settled the issue among themselves. Further, the learned counsel for the defacto complainant submitted that the defacto complainant is not willing to continue the relationship and to pursue the complaint and has no objection to quash the criminal proceedings. Hence, they seek to quash the proceedings pending against the petitioner and in this regard, a memo of compromise entered between them, which is scanned and reproduced hereunder:



WEB COPY

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

Crl. O.P. No. 11373 of 2026

In

S. C. No. 222 of 2025

(On the file of Hon'ble Sessions Judge, Magalir Neethimandram, Allikulam, Chennai)

Venkatesh, M/A. 32 Years,
S/o. Tamilselvan,
Residing at. No. 48-21/2, P.K.S Nagar,
Therku devathanam, Viruthunagar,
Tamil nadu-626121.

...Petitioner/Accused

-Vs-

1. State represented by,
The Inspector of Police,
W-7 Anna Nagar All Women Police Station,
Anna Nagar, Chennai- 600040 .

...1st Respondent/Complainant

2. Soniya, F/A. 29 Years,
D/o. Maniyarasu,
Residing at. No.6, VOC 1st Street,
Padmanaban Street, choolaimedu.
Chennai-94.

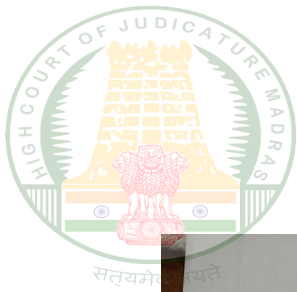
...2nd Respondent/ Defacto-Complainant

JOINT MEMO OF COMPROMISE

The Petitioner/Accused and the Defacto Complainant humbly submit as follows:

1. It is submitted that the above Criminal Original Petition has been filed seeking to quash the proceedings in S.C. No. 222 of 2025 on the file of the Hon'ble Sessions Judge, Magalir Neethimandram, Allikulam, Chennai, arising out of Crime No.29 of 2024 registered by the respondent police for alleged offences under Sections 318(2) and 64 of the B.N.S., 2023.

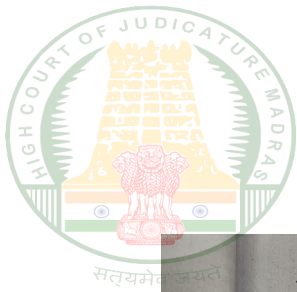
V. Venkatesh
Soniya.M.



WEB COPY

2. It is submitted that the dispute between the petitioner/accused and the defacto complainant arose out of a personal relationship between them and the allegations made in the complaint were purely personal in nature.
3. It is submitted that with the intervention of elders, family members and well-wishers, both parties have amicably resolved their disputes and differences.
4. It is submitted that the defacto complainant has voluntarily agreed not to proceed further with the criminal case and has no grievance whatsoever against the petitioner/accused.
5. It is further submitted that the defacto complainant is now preparing for her marriage, which has been duly fixed, and continuation of the criminal proceedings would adversely affect her future matrimonial life and reputation.
6. It is submitted that the compromise has been entered into voluntarily, without any coercion, threat, undue influence or pressure from any quarter, and both parties have fully understood the nature and consequences of the settlement.
7. It is submitted that the defacto complainant has no objection for quashing the proceedings in S.C. No.222 of 2025 as against the petitioner/accused.
8. It is further submitted that both parties undertake to abide by the terms of the compromise and pray that this Hon'ble Court may be pleased to record the same.
9. The defacto complainant is ready and willing to appear before this Hon'ble Court and affirm the compromise on oath.

[Signature]
Soniya . M



WEB COPY

Therefore, it is humbly prayed that this Hon'ble Court may be pleased to record this Joint Memo of Compromise and quash the proceedings in S.C. No.222 of 2025 on the file of the Hon'ble Sessions Judge, Magalir Neethimandram, Allikulam, Chennai, and thus render justice.

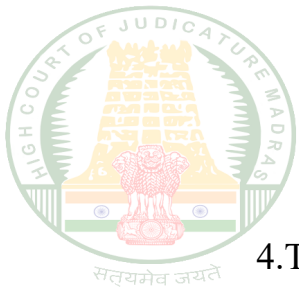
Dated at Chennai on this 21st day of April 2026.

Sonija.M
Defacto Complainant

T. V. Kishore
Petitioner/Accused

Naveen
(753/20)
Counsel for Defacto Complainant

Attorney
(1352/22)
Counsel for Petitioner/Accused



WEB COPY

4.The learned Government Advocate (Crl.Side) appearing for 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 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 trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

7.The petitioner and the defacto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Ms.P.Lakshmi Sri, WSSI, W7 AWPS, Annanagar, Chennai- 40.

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. She confirms that she is a major, educated, was having a conscious and consensus relationship with the petitioner, knowing its consequences.



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 offence in question is 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 S.C.No.222 of 2025 on the file of the Sessions Court, Magalir Neethimandram, Allikulam, Chennai.



WEB COPY

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C.No.222 of 2025 pending on the file of the Sessions Court, Magalir Neethimandram, Allikulam, Chennai, is quashed as against the petitioner.

12. The affidavit and the Memo of Compromise 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 Sessions Court,
Magalir Neethimandram, Allikulam, Chennai.
2. The Inspector of Police
W-7, Anna Nagar All Women Police Station,
Anna Nagar, Chennai -600040.
3. The Public Prosecutor
High Court, Madras.



WEB COPY

CRL OP No. 11373 of 2



M.NIRMAL KUMAR, J.

sms

CRL OP No. 11373 of 2026

05-06-2026