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CRL OP No. 11374 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. 11374 of 2026

and

CrL.MP.No.8100 of 2026

R. Ajay
S/o. Rajmohan,
D.No.6, Ramakrishnapuram North,
Karur District.

..Petitioner(s)

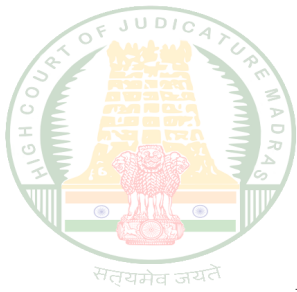
Vs

1. The State Represented by
The Inspector of Police,
Peelamedu Police Station,
Coimbatore City, Coimbatore District.
In Cr.No.523/2024.

2. V. Priyadharshini
D/o. Venkatesh,
Site No.1, Sri Vel Nivas,
Cheran Maa Nagar,
Coimbatore District.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS to call for the records culminating C.C. No.1529 of 2024 on the file of Learned Judicial Magistrate, Additional Mahila Court, Coimbatore QUASH the same and pass such further order or other orders as this Honorable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.



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For Petitioner(s):

Ms.N. Sumi Priya

For Respondent(s):

Mr.R. RAJASEKARAN
Govt. Advocate (CRL. SIDE)
for R1

Mr.T.Balaji
for R2

ORDER

The petitioner/accused facing trial in C.C.No.1529 of 2024 for offences under Sections 126(2), 296(b), 78 of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Wome Act, 2002 filed this quash petition.

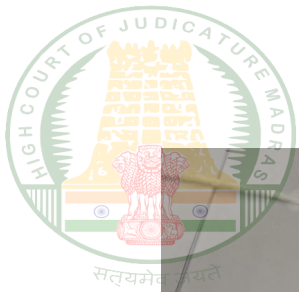
2.The case against the petitioner is that the petitioner and the defacto complainant/second respondent knew each other in the year 2023 and later, the same developed into a friendship. Thereafter, due to difference of opinion, they discontinued their friendship. Subsequently, the petitioner followed the defacto complainant continuously and posted defamatory contents against her in the social media. While so, on 17.08.2024, at about 3.00 pm, while the defacto complainant was on the way to her house along with driver, the petitioner waylaid and abused them in filthy language and also threatened her with dire consequences. Hence, lodged a complaint.



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3.The learned counsel for the petitioner submitted that based on the complaint, FIR registered and final report filed, which was taken on file in C.C.No.1529 of 2024 by the Judicial Magistrate, Additional Mahila Court, Coimbatore. He further submitted that the welfare and future of the petitioner and the defacto complainant has to be considered. The parties arrived at mutual compromise and decided to resolve the dispute amicably among themselves.

4.The learned counsel appearing for the petitioner as well as the learned counsel for the second respondent/defacto complainant submitted that 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, Joint compromise memo entered between them, which is scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Crl.O.P. No. 11374 of 2026

Against

C.C.No.1529 of 2024

(On the file of the Learned Judicial Magistrate, Additional Mahila Court, Coimbatore)

R. Ajay (M/27)
S/o. Rajmohan,
D.No.6, Ramakrishnapuram North,
Karur District.

...Petitioner
/Sole Accused

-Versus-

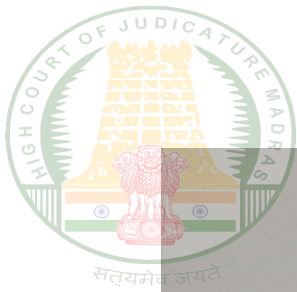
1. The State Represented by
The Inspector of Police,
Peelamedu Police Station,
Coimbatore City, Coimbatore District.
In Cr No. 523/2024.

2. V. Priyadharshini (F/27),
D/o. Venkatesh,
Site No.1, Sri Vel Nivas,
Cheran Maa Nagar,
Coimbatore District.

...Respondent/Complainant
/ De-facto Complainant

JOINT COMPROMISE MEMO FILED BY THE PARTIES

1. It is submitted that the petitioner is filing the present Criminal Original Petition before this Hon'ble Court seeking to call for the records culminating in C.C.No.1529 of 2024, pending on the file

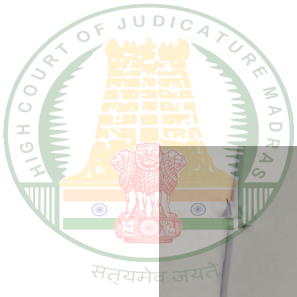


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of the Learned Judicial Magistrate, Additional Mahila Court, Coimbatore.

2. It is submitted that case of the prosecution is that petitioner and de-facto complainant/Respondent No.2 got acquainted with each other in the year 2023 and later the same developed into a friendship. It is stated in the complaint that thereafter due to difference of opinion, they discontinued their friendship. It is also further stated in the complaint that subsequently the petitioner was following the de-facto complainant continuously and posted defamatory contents against her in the social media. That being so, on 17.08.2024, at about 03.00 PM, while the de-facto complainant was on the way to her house along with driver, it is stated that the petitioner had waylaid them and abused them in filthy language and also threatened her of the dire consequences. Hence the complaint and FIR in Cr.No.523/2024 was registered on the file of Respondent Police.
3. It is submitted that the respondent police had laid down chargesheet in C.C.No.1529 of 2024 on the file of Learned Judicial Magistrate, Additional Mahila Court, Coimbatore for the



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alleged offences under Sections 126(2), 296(b), 78 of BNS, 2023 and Section 4 of TNPHW Act, 2002.

4. It is submitted that after the registration of FIR, the petitioner/accused was arrested and remanded to judicial custody and subsequent to enlargement of bail, the petitioner/accused has approached the de-facto complainant and assured her that he will not harass or cause any kind disturbance to the respondent no.2 and to her business in future and also regretted for what had happened and thereby they have arrived at a mutual compromise to withdraw the said criminal proceedings based on this joint compromise memo executed by them within the following terms.

5. The terms of joint compromise memo are;

a. That the petitioner/accused herein shall not contact or communicate with the respondent no.2 or her family members, directly or indirectly, by any means of communication and the petitioner/accused herein shall not, directly or indirectly, interfere or cause any disturbance to the personal, professional or social life of the respondent no.2 and shall not involve in anything related to the respondent no.2 in future.

b. That the petitioner/accused herein shall not post, publish or circulate any defamatory content relating to the respondent no.2 or her business in any of the social media platforms or communication applications and the petitioner/accused shall ensure removal of any false or



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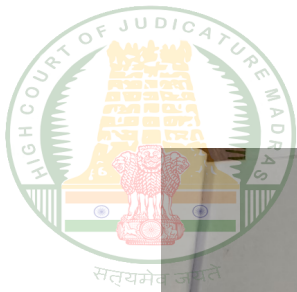
defamatory content relating to the respondent no.2 or her business posted earlier.

c. That the respondent no.2 herein agrees to withdraw the criminal case in C.C.No.1529 of 2024 against the petitioner/accused on the file of Learned Judicial Magistrate, Additional Mahila Court, Coimbatore and co-operate in judicial proceedings to quash the trial of the criminal case in C.C No. 1529 of 2025 based on the above undertakings given by the petitioner/accused.

d. That both the parties have resolved the dispute amicably and there are no other claims whatsoever against each other.

6. That the petitioners herein and Respondent No.2 do hereby declare and confirm that the joint compromise memo is executed by both the parties 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 joint compromise memo only with their full consent and final agreement for the welfare of both the parties in their future life.

7. It is submitted that no prejudice, hardship, loss or injury would be caused to us if the proceedings is quashed by this Hon'ble court in view of compromise arrived between us.



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This being the case this Hon'ble Court may be pleased to take the joint compromise memo executed by the Respondent No.2 herein and quash the chargesheet in C.C.No.1529 of 2024 on the file of Learned Judicial Magistrate, Additional Mahila Court, Coimbatore and thus render justice.

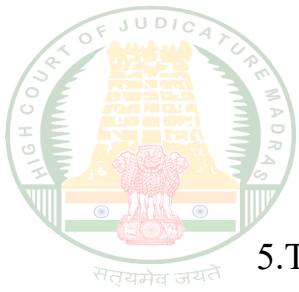
Dated at Chennai on this the 25th day of April, 2026

R. Arjun.
PETITIONER (AJAY)

COUNSEL FOR THE PETITIONERS

RESPONDENT NO.2 / DE-FACTO COMPLAINANT (PRIYADHARSHINI)

COUNSEL FOR THE RESPONDENT NO.2



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5.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.

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

7.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.

8.The petitioner and the defacto complainant/R2 appeared before this Court through video conferencing and were identified by their respective counsel as well as by Mr.Rajesh Kumar, HC 2533, E2, Peelamedu L & O police station, Coimbatore.

9.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.



10. 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.

11. 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.1529 of 2024 on the file of the Judicial Magistrate Court, Additional Mahila Court, Coimbatore.



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12. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C.No.1529 of 2024 pending on the file of the Judicial Magistrate Court, Additional Mahila Court, Coimbatore, is quashed as against the petitioner. Consequently, connected miscellaneous petition is closed.

13. The affidavit and the Joint 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 Judicial Magistrate Court,
Additional Mahila Court, Coimbatore.
2. The Inspector of Police,
Peelamedu Police Station,
Coimbatore City, Coimbatore District.
In Cr.No.523/2024.
3. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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