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CRL OP No. 12658 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. 12658 of 2026

and

CrL.MP.No.8614 of 2026

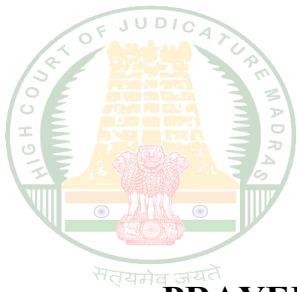
1. R.Naveen
S/o. Raja,
5 Ward, Muduvarpatti,
Madurai-625 503.
2. S. Alagumuthu
S/o. Subramani
10-8-93/1, Thedeer Nagar,
Vadipatti, Madurai-625 218.
3. R. Arunkumar
S/o. Rajendran,
232, East Street, Puthumbu (P.O.)
Kovilampapakudi, Madurai-625018.

..Petitioner(s)

Vs

1. The State Rep by its
Inspector of Police
Vepery Police Station,
Kilpauk District.
Chennai, Crime No.108 of 2026.
2. Mrs. Deepalakshmi
W/o. Rahul,
No.101, Muniappan Street,
Perambur,
Chennai-600 112.

..Respondent(s)



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PRAYER: The criminal original petition filed under Section 528 BNSS to call for the records in connection with the First Information Report in Crime No.108 of 2026 pending on the file of the 1st Respondent and quash the same as illegal and pass such or other order or orders as this Honorable Court may deem fit in the interest of justice and thus render justice.

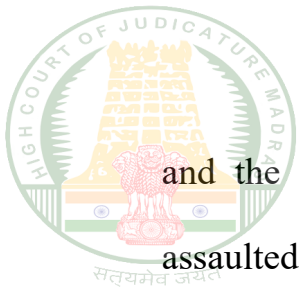
For Petitioner(s): Mr.S. PRABHAKARAN
Senior Counsel
FOR Ma.Gouthaman

For Respondent(s): Mr.R. RAJASEKARAN
Govt. Advocate (CRL. SIDE)
for R1

ORDER

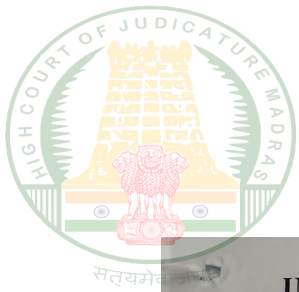
The petitioner/accused in crime No.108 of 2026 for offences under Sections 115(2) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002 filed this quash petition.

2. The case against the petitioners is that On 17.04.2026 when the defacto complainant was travelling with her husband on a two wheeler on 16.04.2026 at about 22.30 hours along E.V.K.Sampath road, the defacto complainant requested her husband to stop the vehicle due to some discomfort, as she was 7 months pregnant. At that time, the petitioners were travelling on a two wheeler in an intoxicated condition drove the two wheeler near the defacto complainant



and the first petitioner, who was sitting in the middle of the two wheeler assaulted the complainant on her back and proceeded ahead. When the defacto complainant intimated the same to her husband and other relatives who were travelling with her, the defacto complainant along with her husband confronted the petitioners near AP road Rengayya street junction and at that time, the first petitioner gave evasive replies and acted in a rude manner against the defacto complainant by making derogatory comments. Hence, complaint lodged.

3.The learned counsel for the petitioner submitted that the petitioners are police constables and they were travelling on their two wheeler on 16.04.2026 and at that time, the first petitioner was talking to the other petitioners, who was riding the two wheeler and the first petitioner, while explaining about something, had waved his hand and the same had inadvertently touched the defacto complainant. Hence, there was a some wordy quarrel between the petitioners and the defacto complainant and her husband. Hence, the defacto complainant lodged a complaint. Now, after the intervention of elders and their friends, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioners and in this regard, a joint memo of compromise entered into between them, which was scanned and reproduced hereunder:



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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CRIMINAL JURISDICTION)**

Crl.O.P.No. ¹²⁶⁵⁸ of 2026

CRIME No. 108 OF 2026

**(On the file of the Inspector of Police, Vepery Police Station,
Kilpauk District)**

1. R. Naveen (M/29 Yrs)

S/o. Raja,

5 Ward, Muduvarpatti,

Madurai- 625 503.

2. S. Alagumuthu (M/29 Yrs)

S/o. Subramani,

10-8-93/1, Thedeer Nagar,

Vadipatti,

Madurai- 625 218.

3. R. Arunkumar (M/29 Yrs),

S/o. Rajendran,

232, East Street,

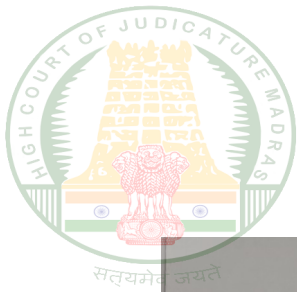
Puthumbu (P.O.)

Kovilampapakudi,

Madurai- 625 018.

.....Petitioner/ Accused No. 1 to 3

Page No.1
No.of corrections: - Nil-



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V/s

1. The State, rep. by its
The Inspector of Police,
Vepery Police Station,
Kilpauk District
(Crime No.108 of 2026)

.... Respondent/ Complainant

2. Mrs. Deepalakshmi (F/22 Yrs)
W/o Rahul,
No.101 Muniappan Street,
Perambur,
Chennai-600102

... Respondent/ De Facto-Complainant

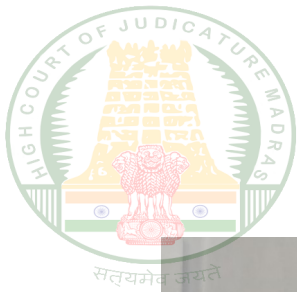
JOINT MEMO OF COMPROMISE FILED BY
THE PETITIONER AND THE De-facto Complainant

The Petitioners and the De-facto Complainant jointly submit as follows:-

1. The complaint lodged by the De-facto Complainant was inadvertently done due to a misunderstanding, before the 1st Respondent Police on 17-04-2026 against the Petitioners herein

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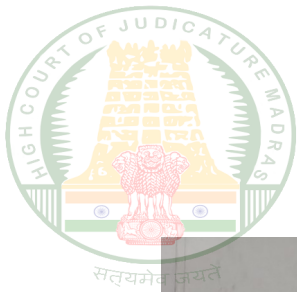


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2. The above quash petition was filed challenging FIR in Crime No.108/2026, dated: 17-04-2026, for alleged offences under Section 115(2) of B.N.S, 2023 and Section 4 of TNPHW Act, 2002 against the Petitioners.
3. It is humbly submitted that the FIR was registered for an incident which took place on 16-04-2026. The Petitioners have explained the circumstances to the De-facto Complainant in which the incident had occurred and the De-facto Complainant had understood that the act was committed by mistake. Due to a misunderstanding the present impugned FIR was lodged and upon verification of facts and due diligence, the De-facto Complainant has understood that the act was committed by the Petitioners unintentionally and the De-facto Complainant hereby confirm that the issue is amicably settled and has no objection for quashing present criminal proceedings in Crime No. 108 of 2026 pending on the file of the 1st Respondent police against all the Petitioners.
4. It is most humbly submitted that the De-facto complainant also visualised that because of the pending criminal case against the Petitioners, it may affect their entire career of the government service and they will be put to much agony and stress for the unintentional act. The De-facto Complainant further submits that the De-facto Complainant don't want to pursue the case as it does not fall under the meaning of harassment and crime.

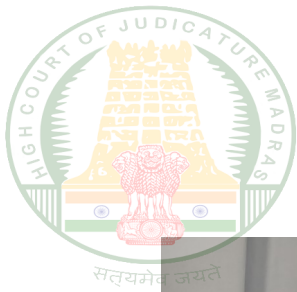
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No.of corrections: - Nil-



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5. It is humbly submitted that the complaint was lodged instantly on the spur of the moment, the petitioners had also immediately apologised for the unintentional act and the De-facto Complainant lodged the complaint without condoning the same which resulted in the registration of the present crime and upon further revisiting the situation, the De-facto Complainant finally understood the act was unintentional and not done purposefully.
6. It is most humbly submitted that the issue has been amicably settled and this present statement shall be recorded as there is no grievance or offence is pending against these Petitioners.
7. It is most humbly submitted that the Petitioners and the De-facto Complainant have agreed to settle the dispute subject to the Hon'ble Court's order:-
- (i) The De-facto Complainant has agreed to withdraw the complaint lodged against the Petitioner, consequently the De-facto Complainant has agreed to submit her consent before this Hon'ble Court for quashing the crime registered against the Petitioner in FIR No.108 of 2026.

Page No.4
No.of corrections: - Nil-



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5

It is therefore prayed that this Hon'ble court may record this joint memo of compromise filed by both the Petitioners and the De-facto Complainant and the quash the same and order as per the above terms agreed between the Petitioners and the De-facto Complainant and may dispose of the above Quash Petition filed in CrI.O.P.No. of 2026, in the FIR dated 17-04-2026, Crime No. 108 of 2026 based on this joint memo of compromise and pass order as are deem fit and necessary by this Hon'ble Court and thus render justice.

Dated at Chennai on this the day of May, 2026

COUNSEL FOR THE PETITIONER

1. R. Valluvar
2. R. Aravind
3. R. Aravind

SIGNATURE OF THE PETITIONERS

COUNSEL FOR THE DE-FACTO
COMPLAINANT

SIGNATURE OF THE DE-FACTO
COMPLAINANT



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4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on the complaint, case registered in crime No.108 of 2026 for offences under Section 115(2) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002 and the case is at investigation stage. The departmental action was taken against the petitioners. He further submitted that though the parties entered into a compromise, taking into account the seriousness of the offence, has to consider 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.



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8. On interaction by this Court, the de facto complainant stated that she is willing to settle the dispute with the petitioners and she is not willing to pursue the criminal proceedings against the petitioners and therefore, seeks to quash the same.

9. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, and 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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the case in crime No.108 of 2026 pending on the file of the first respondent

10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners 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 petitioners in crime No.108 of 2026 pending on the file of the first respondent police.

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11. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings crime No.108 of 2026 pending on the file of the first respondent police, is quashed. Consequently, connected miscellaneous petition is closed.

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 Inspector of Police
Vepery Police Station,
Kilpauk District. Chennai
Crime No.108 of 2026.
2. The Public Prosecutor
High Court, Madras.



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CRL OP No. 12658 of 2



M.NIRMAL KUMAR, J.

sms

CRL OP No. 12658 of 2026
and
CrI.MP.No.8614 of 2026

05-06-2026