



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14250 of 2026

and

Crl.MP.Nos.9153 & 9154 of 2026

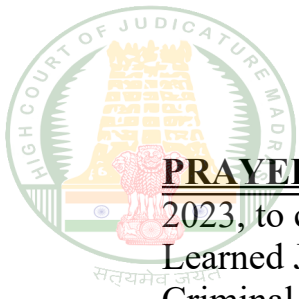
1. Keerthana D/o.Balusamy,
D.No.4/83A, Arunagiri Street,
Dharapuram Main Road,
Udumalaipettai, Tiruppur District.
2. Karthikprabhu S/o.Devaraj,
Park Avenue Phase-1 Thoppampatti,
Coimbatore.
3. Mohammed Safiq S/o.Asrar Ali,
D.No.13, Pillarpuram, Kurichi, Coimbatore.
4. Vijayakumar S/o.Appu,
Yoga Maruthi Compound,
Pathrakaliyammannagar,
Paladurai Main Road, Thirumalaiyampalayam,
Coimbatore.
5. Suryaprakash S/o.Sivakumar,
Sasthri Nagar, Sanganoor Pallam, Coimbatore.

..Petitioner(s)

Vs

1. Inspector of Police,
B-1, Bazaar Law and Order Police Station,
Coimbatore City. Crime No.215 of 2022.
2. Kanagasabapathy S/o.Rathinam,
D.No.9L, Veeramathi Amman Kovil,
Ramani Apartment Opposite, P.N.Pudur,
Coimbatore - 41.

..Respondent(s)



PRAYER: The criminal original petition filed under Section 528 of BNSS, 2023, to call for the records pertaining to C.C.No.6620 of 2025 on the file of the Learned Judicial Magistrate-V, Coimbatore and quash the same by allowing this Criminal Original Petition and pass such further or other suitable orders as this Hon'ble Court deems fit and thus render justice.

For Petitioner(s): Mr.A.Swaminathan
For Respondent(s): Mr.R. RAJASEKARAN
Govt.Advocate (Crl.Side)
For R1

ORDER

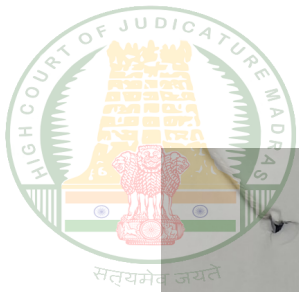
The petitioners facing trial in C.C.No.6620 of 2025 for offences under Sections 294(b), 323, 506(i), 324, 120B & 452 IPC filed this quash petition.

2.The case against the petitioners is that the defacto complainant's son Rajasundar after completing his Bachelor Degree in B.E. from Ramakrishna College working at Bangalore in a Private Limited Company. During his son's college days, Balusamy's daughter Keerthana from Udumalai studied B.Tech from Krishna College at Covai Pudhur. My son and Keerthana became friends through Keerthana's friend Sanjay, further, the friendship between them later developed into love and both loved each other for past two years. Due to difference of opinion for past six months, they have not meet and talk with each other. Since Keerthana is going to get marry with another person based on her family's decision, Keerthana informed my son during May 2022 that we cannot marry each other, even if they both get married her parents will not accept it. Hence, my son understanding her situation, has not contacted for past six months. Later on 02.07.2022 Keerthana contacted my son and informed that we will meet each other one last time and asked my son to come from Bangalore to



handover her documents. Based on her words, my son on 09.07.2022 came from Bangalore and stayed in Kotta lodge at Covai Rajaveedhi and waited for Keerthana. Around 01.00 p.m. Keerthana along with her henchmen based on their pre-plan trespassed into my son's room and attacked him heavily, a person came with her with unparliamentary and abusive words with an intention to murder attacked my son's face & lips. Then the other three persons kicked my son at his chest & Stomach and grabbed my son's laptop, cellphone, ATM card and licence. Later they instructed Keerthana to give false complaint before All Women Police Station (West) that my son had raped her. Based on her complaint, police arrested my son and informed me. During visit he informed the above information that Karthik Prabhu along with three unknown persons attacked him. Hence, this complaint.

3.The learned counsel for the petitioners submitted that based on the complaint lodged by the defacto complainant, a case in crime No.215 of 2022, thereafter final report filed which was taken on file in C.C.No.6620 of 2025. Now, the case is at trial stage. On the intervention of the well-wishers and friends, the petitioners and the defacto complainant decided to compromise the dispute between them and the defacto complainant has no objection to quash the criminal proceedings against the petitioners. Hence, they seek to quash the proceedings pending against the petitioners and in this regard, compromise entered between them and they produced a joint memo of compromise, which is scanned and reproduced hereunder:



WEB COPY

CRL OP No. 14250 of 2



1

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

Crl.O.P No. 14250 of 2026

against

C.C No. 6620 of 2025

[on the file of the Judicial Magistrate-V, Coimbatore]

- 1] Keerthana, (F/A 27)
Daughter of Balusamy,
D. No. 4/83A, Arunagiri Street,
Dharapuram Main Road,
Udumalaipettai, Tiruppur Dist.
 - 2] Karthikprabhu, (M/41)
S/o. Devaraj,
Park Avenue Phase-1 Thoppampatti, Coimbatore.
 - 3] Mohammed Safiq, (M/38),
S/o. Asrap Ali,
D. No. 13, Pillarpuram, Kurichi, Coimbatore.
 - 4] Vijayakumar, (M/45)
S/o. Appu,
Yoga Maruthi Compound, Pathrakaliyamman Nagar,
Paladurai Main Road, Thirumalaiyampalayam, Coimbatore.
 - 5] Suryaprakash, (M/26)
S/o. Sivakumar,
Sasthiri Nagar, Sanganoor Pallam, Coimbatore.
- ...Petitioners/Accused 1, 2 & 4 to 6

-Versus-

- 1] Inspector of Police,
B-1, Bazaar Law & Order Police Station,
Coimbatore City.
(Crime No. 215 of 2022)

...1st Respondent/Complainant

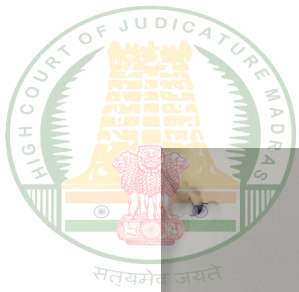
1. B.K. Th.
2. D. Karthick Prabhu
3. Safiq
4. S. Byr
5. S. Byr

The Commonwealth of Massachusetts

On this 15th day of May, 2026,
before me, the undersigned notary public, Keerthana Balusamy
personally appeared, proved to me through
satisfactory evidence of identification, which were
Indian Passport, to be the person whose name is
signed on the preceding or attached document, and acknowledged
to me that he/she signed it voluntarily for its stated purpose.



Sean J. Hallan, Notary Public
My Commission Expires November 8, 2030



- 2] Kanagasabapathy, (M/56),
S/o. Rathinam,
D. No. 9 L, Veeramathi Amman Kovil,
Ramani Apartment Opposite, P.N. Pudur, Coimbatore - 41.
...2nd Respondent/Defacto-Complainant

**JOINT MEMO OF COMPROMISE FILED BY THE PETITIONERS
AND 2nd RESPONDENT/DEFACTO-COMPLAINANT**

- a. It is submitted that the 1st Respondent Police had registered a case in Crime No. 215 of 2022 against the Petitioners herein for the alleged offences under sections 294(b), 323 & 506(i) of Indian Penal Code based on the complaint given by the Defacto-Complainant alleging that the occurrence had taken place on 09.07.2022.
- b. It is further submitted that after completion of investigation the 1st Respondent had laid charge sheet for the alleged offences under sections 294(b), 323, 506(i), 324, 120B & 452 of IPC before the Learned Judicial Magistrate-V, Coimbatore vide C.C No. 6620 of 2025 as against the Petitioners.
- c. That the Petitioners and Defacto-Complainant would respectfully state, that over the course of time and upon the intervention of the well-wishers and common friends, the Petitioners and the 2nd Respondent/Defacto-Complainant had decided to compromise the dispute between them.
- d. That the 2nd Respondent/Defacto-Complainant has **NO OBJECTION** in quashing the proceedings in C.C No. 6620 of 2025 pending on the file of the Learned Judicial Magistrate-V, Coimbatore against the Petitioners.
- e. That both the parties hereby mutually agree that either of them will not disturb/ interfere in the life of each other in future or they will not resort to any other legal proceedings in respect of the present issue.

1. *B.K. Singh*
2. *D. Karthick Prasad*
3. *S. S. S.*

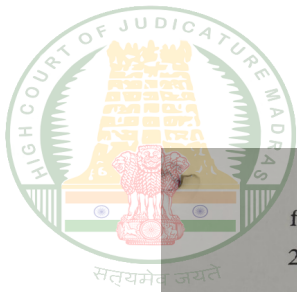
4. *Q. R. R.*
5. *S. S. S.*

The Commonwealth of Massachusetts
On this 19th day of May, 2026,
before me, the undersigned notary public, Kesavan R. R.
personally appeared, proved to me through
satisfactory evidence of Identification, which were
Indian Passport, to be the person whose name is
signed on the preceding or attached document, and acknowledged
to me that he/she signed it voluntarily for its stated purpose.



Sean J. Hutton, Notary Public
My Commission Expires November 8, 2030

WEB COPY



WEB COPY

f. That this Joint Memo of Compromise between the Petitioners and the 2nd Respondent/Defacto-Complainant were executed voluntarily, on their own, with proper legal counseling and with mutual consent without any Fear, Pressure, Force, Fraud, Undue Influence and Coercion.

Dated at Chennai on this the 19th day of May, 2026

B. Keerthana

B. Keerthana
Daughter of Balusamy
(1st Petitioner/1st Accused)

R. Kanagasabapathy

R. Kanagasabapathy
Son of Rathinam
(2nd Respondent/Defacto-Complainant)

D. Karthikprabhu
Son of Devaraj
(2nd Petitioner/2nd Accused)

A. Mohammed Safiq
Son of Asrap Ali
(3rd Petitioner/4th Accused)

The Commonwealth of Massachusetts
On this 19th day of May, 2026
before me, the undersigned notary public, Keerthana Balusamy
personally appeared, proved to me through
satisfactory evidence of identification, which were
Indian Passport, to be the person whose name is
signed on the preceding or attached document, and acknowledged
to me that he/she signed it voluntarily for its stated purpose.
Sean J. Harton
Sean J. Harton, Notary Public
My Commission Expires November 8, 2030

A. Vijayakumar
Son of Appu
(4th Petitioner/5th Accused)

G. Lyai Ly
9-70/21
Counsel for Petitioners

S. Suryaprakash
Son of Sivakumar
(5th Petitioner/6th Accused)

1. *B. Keerthana*
2. *D. Karthikprabhu*
3. *S. Suryaprakash*
4. *R. Kanagasabapathy*
5. *S. G. Suresh*



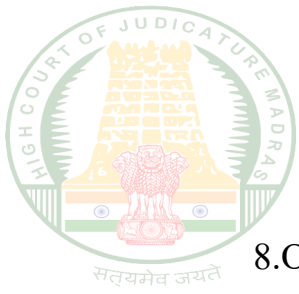
WEB COPY

4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on complaint, FIR registered, charged sheet filed and taken on file in C.C.No.6620 of 2025 by Judicial Magistrate V, Coimbatore and further, submitted that though in respect of this case, 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.

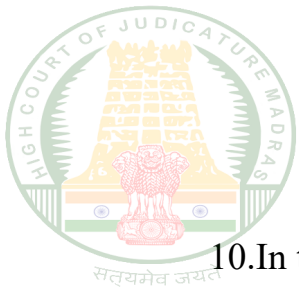
7.The petitioners 2 to 5 appeared in person and the first petitioner appeared through Video conferencing and the second respondent/defacto complainant appeared in person before this Court and were identified by their respective counsel.



WEB COPY

8. On enquired by this Court, the second respondent/defacto complainant stated that he has amicably settled the dispute with the petitioners and they are 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.



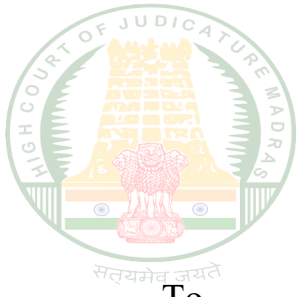
10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the proceedings pending against the petitioners in C.C.No.6620 of 2025.

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in C.C.No.6620 of 2025 pending on the file of the Judicial Magistrate-V, Coimbatore, is quashed. Consequently, connected miscellaneous petitions are closed.

12. The affidavit and the Joint compromise Memo filed by the petitioners and the second respondent 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
WEB COPY

1. The Learned Judicial Magistrate-V,
Coimbatore.
2. Inspector of Police,
B-1, Bazaar Law and Order Police STation,
Coimbatore City. Crime No.215 of 2022.
- 3.The Public Prosecutor
High Court, Madras.



WEB COPY

CRL OP No. 14250 of 2



M.NIRMAL KUMAR, J.

sms

CRL OP No. 14250 of 2026

05-06-2026