



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 15662 of 2026
and CrI.M.P.No.10227 of 2026**

S.Yuvaraj
S/o.Senthil Kumar,
NO.32/3/1, Levengipuram 2nd Street,
New Colony,
Thoothukkudi - 628003..

..Petitioner(s)

Vs

1. The State Represented by, Inspector of Police,
Peelamedu Police Station,
Coimbatore District.
2. M.S.Jeya Swetha
C/o.Umayal,
NO.24/58, 3rd Cross Street,
Viswanathapuram,
Madurai - 625014.

..Respondent(s)

Criminal Original Petition is filed under Section 582 of BNSS to call for the records relating to the FIR in Crime No.672 of 2024 on the file of the Inspector of Police, Peelamedu Police Station, Coimbatore District, and to quash the same in respect of the petitioner is concerned and to allow the above Criminal Original Petition and thus render Justice.

For Petitioner(s): M/s.S.Kasirajan

For Respondent(s): Mr. A.Amarnath
Counsel for Govt. of Tamil Nadu for R1

**ORDER**

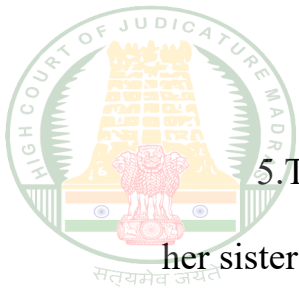
The petitioner / accused in Cr.No.672 of 2024 filed for the offences punishable under Section 296(b), 351(3) of BNS and Section 4 of the Prohibition of Harassment of Women Act, had filed this quash petition.

2. The contention of the petitioner is that the petitioner and the second respondent / defacto complainant were in love relationship from their school days while studying at Thoothukudi. Coming to know about the same, the second respondent's father had moved her from Thoothukudi to Tirunelveli and thereafter, she was studying at Coimbatore, however, the petitioner and the second respondent were in regular touch. After an untimely death of her father and mother, the second respondent / defacto complainant snapped the relationship with the petitioner which was questioned by the petitioner and the same was projected as though the petitioner had harassed her. He further submitted that there were some photographs of the petitioner and the second respondent taken during their relationship, but the same was not used against the second respondent in any manner. Now, considering the future and employment of the petitioner, the second respondent / defacto complainant had come forward to resolve the issue by way of compromise.



3. The learned Counsel for Govt. of Tamil Nadu appearing for the first respondent submitted that the petitioner is a Law graduate and he took advantage of the victim girl and exploited her and further when she withdrew from the relationship, she was forced, harassed and threatened by the petitioner. In fact the petitioner was following the victim girl through and through and when the victim girl feels insecure, she informed her sister who is employed at Bangalore and thereafter, when the second respondent, her sister and one Ritin met the petitioner to resolve the issue, they were threatened and abused by the petitioner. Thereafter, the present complaint was lodged. The learned Counsel for Govt. of Tamil Nadu, on instruction, submitted that the mobile phone seized from the petitioner has got no photographs of the petitioner and the defacto complainant / second respondent taken during their relationship. He further submitted that the phone has been seized and it is under the police custody.

4. On interaction, it was found that the petitioner has completed the law degree and waiting for enrolment. The second respondent had completed her Engineering Course and seeking employment. The petitioner had filed the present quash petition accompanied with individual affidavit filed by the petitioner and the 2nd respondent/*de facto* complainant, stating that they have decided to resolve the dispute amicably.



5. Today, the petitioner and the 2nd respondent / *de facto* complainant and her sister are present before this Court and they are identified by their respective counsel and both of them had confirmed that the petitioner is not causing any disturbance to the second respondent. The parties have expressed their willingness to compromise the matter and compound the offences pending against the accused.

6. One important 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 accused. 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.



7. However, considering the facts of the case, it can be seen that the offence in question is purely individual in nature and the parties themselves have now come forward to settle the matter amicably. Therefore, quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing the criminal proceedings. 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 CrI 10), this Court, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS, is inclined to quash the proceedings pending against the accused.

8. In view of the above, this Criminal Original Petition is allowed and the case as against the petitioner in Crime No.672 of 2024 on the file of the 1st respondent Police, is hereby quashed. The individual affidavits filed by the petitioner and defacto complainant shall form part of the records. It is made clear that this case shall not be considered against the petitioner for his higher education or employment or enrolment. Connected miscellaneous petition is closed.

22-06-2026

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

BKN



WEB COPY

To:

1. Inspector of Police,
Peelamedu Police Station,
Coimbatore District

2. Public Prosecutor,
Madras High Court.

CRL OP No. 15662 of 2



M.NIRMAL KUMAR, J.

BKN

CRL OP No. 15662 of 2026

22-06-2026