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CRL OP No. 16392 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16392 of 2026

and

CRL.MP.No.10828 of 2026

1.R.Vinoth

2.Jothimani

3.Dhanalakshmi

..Petitioner(s)

Vs

1.The State of Tamilnadu rep.by
The Inspector of Police,
AWPS, ST.Thomas Mount,
Chennai-60 0016.
2.Sharmila

..Respondent(s)

To call for the records and quash the FIR in Crime No.0007 of 2026 on the file of the AWPS, St. Thomas Mount Chennai and pass such further other orders that may be deemed fit in the facts and circumstances of the case and thus render justice.



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For Petitioner(s):

Mr.M.Gunasekaran

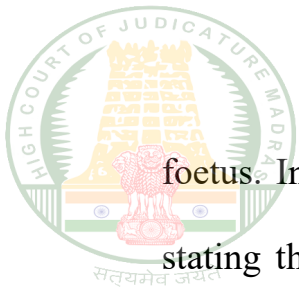
For Respondent(s):

Mr.R.Rajasekaran, G.A.(Crl. Side), for R1

ORDER

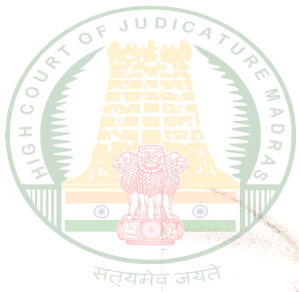
The petitioners, who have been arrayed as accused in Crime No. 0007 of 2026 for the offence under Sections 642(m), 308, 351(3), BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women (Amendment) Act, have filed this quash petition.

2.The case of the prosecution is that the second respondent/defacto complainant is a married woman and she is working as a make up artist. The first respondent became friendly with the second respondent through face book. When the first petitioner came to Chennai looking for work, the second respondent allowed him to stay in her house with this husband's permission. The first petitioner, his mother/second petitioner and his sister-in-law/third respondent regularly spoke to the second respondent. One day, they asked her for money to help them as they were planning to construct a house and the second respondent also regularly paid them. Subsequently, the first petitioner had forcibly sexually assaulted her, as a result of which she became pregnant. Thereafter, the first petitioner took her to a Private Hospital and aborted the



foetus. In the meanwhile, the first petitioner threatened the second respondent stating that he would upload her private morphed photos onto social network and extort money from her without her husband's knowledge. Subsequently, the first petitioner left to Dindigul on 07.02.2026 after cheating her of more than Rs.13 lakhs. When the second respondent and his mother went to Dindigul to recover the money from the first petitioner, where they were abused and assaulted by the first petitioner and his family members. Hence, the second respondent lodged a complaint, pursuant to which, an FIR came to be registered against the petitioners.

3.The learned counsel for the petitioners as well as the learned counsel for the de facto complainant submitted that subsequent to the registration of FIR, through sincere mediation of well-wishers and mediators, the petitioners and the complainant have arrived at a genuine, voluntary and amicable settlement of all their disputes and claims arising of the aforesaid FIR. As a full and final settlement of all claims, demands and dispute between the parties, the petitioners have paid a total sum of Rs.13,00,000/- to the second respondent. In view of the settlement, they have filed a Joint Compromise Memo, which was scanned and reproduced hereunder:



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MEMORANDUM OF CRIMINAL ORIGINAL PETITION

(Under Section 482 of Cr.P.C / Sec 528 of BNSS)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Original Jurisdiction)

Crl O.P No. **16342**
of 2026

against

Crime No. 0007 of 2026

(on the file of the AWPS Police Station, St. Thomas Mount, Chennai)

1. Mr. R. Vinoth, Male/ Age 27**S/o. Raj,**

No.4, Poothampatti, Srirampuram ✓

Vedasandur, Dindigul – 624 702.

.... 1st Petitioner/ 1st Accused**2. Mrs. Jothimani, Female /Age 48** ✓**W/o. Raj,**

No.4, Poothampatti, Srirampuram,

Vedasandur, Dindigul – 624 702.

....2nd Petitioner/ 2nd Accused**3. Mrs. Dhanalakshmi, Female/Age 26****C/o Vignesh,**

No.4/218, AD Colony, Poothampatti,

Srirampuram, Vedasandur,

Dindigul – 624 702. ✓

....3rd Petitioner/ 3rd Accused**VERSUS****1. The State of Tamil Nadu,**

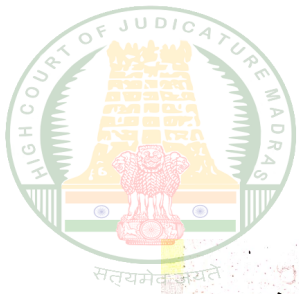
Represented by the Inspector of Police,

AWPS – St. Thomas Mount,

Chennai – 600 016.

...1st Respondent/ Complainant**2. Mrs. Sharmila, Female/ Age 24****D/o. Ganesan,**

No.5, Raghupathi Nagar, 5th Street ✓



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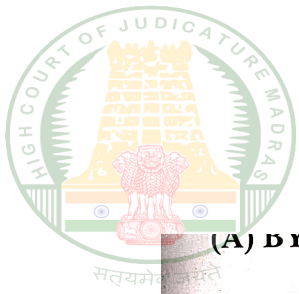
Nanaganallur, Alandur Taluk,
Chennai - 600 061.

Now Residing at
No.5 Ground Floor, SAI Flats,
Moovarasampettai, Madipakkam,
Kancheepuram-600091

... 2nd Respondent/De-facto Complainant

JOINT COMPROMISE MEMO

1. The 1st Respondent Police registered FIR No. 0007/2026 at AWPS, St. Thomas Mount, Chennai, on 17.04.2026 against the Petitioners for offences under Sections 64(2)(m), 308, 351(3) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002, based on the complaint lodged by the 2nd Respondent / Complainant.
2. Subsequent to the registration of the FIR, through the sincere mediation of well-wishers and mediators acceptable to all parties, the Petitioners and the Complainant have arrived at a genuine, voluntary, and uncoerced amicable settlement of all their disputes, differences, and claims arising from or in connection with FIR No. 0007/2026.
3. As a full and final settlement of all claims, demands, and disputes between the parties, the Petitioners have paid a total sum of **Rs.13,00,000/- (Rupees Thirteen Lakhs Only)** to the Complainant in two modes as detailed herein below:



(A) BY BANK TRANSFER (UPI / Google Pay) – Rs. 3,50,000/-

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The following UPI payments were made directly to the 2nd Respondent / Complainant's bank account bearing No.0937:

S.No.	Sender / Payer	Bank & Account	Date	Amount (Rs.)
1.	JOTHIMANI R	Indian Overseas Bank (A/c0422)	04.06.2026	50,000/-
2.	RAJ THIRUMAN	Indian Overseas Bank (A/c0918)	04.06.2026	1,00,000/-
3.	DHANALAKSHMI V	Indian Overseas Bank (A/c3505)	04.06.2026	1,00,000/-
4.	VIGNESH R	State Bank of India (A/c2055)	05.06.2026	50,000/-
5.	ARUNKUMAR P	Indian Overseas Bank (A/c6434)	05.06.2026	50,000/-
TOTAL (UPI):				Rs.3,50,000/-

(B) BY CASH – 13.06.2026 Rs. 9,50,000/-



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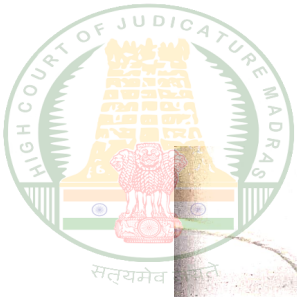
The balance sum of Rs.9,50,000/- (Rupees Nine Lakhs Fifty Thousand Only) was paid by the Petitioners to the Complainant in cash, the receipt whereof is duly acknowledged by her hereunder.

TOTAL SETTLEMENT AMOUNT:

(A) Bank Transfer (UPI / Google Pay)	Rs. 3,50,000/-
(B) Cash Payment	Rs. 9,50,000/-
GRAND TOTAL	Rs. 13,00,000/-

NOW, THEREFORE, THE PARTIES DO HEREBY JOINTLY STATE AND DECLARE AS FOLLOWS:

- I. That the 2nd Respondent / Complainant, Mrs. K. Sharmila, hereby unequivocally states that she has received the aforesaid total sum of Rs.13,00,000/- (Rupees Thirteen Lakhs Only) in full and final settlement of all her claims, demands, and grievances against the Petitioners, and has no further claim, complaint, or dispute against the Petitioners or any of them.
- II. That the 2nd Respondent / Complainant freely, voluntarily, and without any coercion, duress, or undue influence, gives her consent to the quashing of FIR No. 0007/2026 pending on the file of the AWPS, St. Thomas Mount, Chennai, and joins the Petitioners in praying that this Hon'ble Court be pleased to exercise its inherent jurisdiction under Section 528 BNSS (corresponding to Section 482 Cr.P.C.) to quash the said FIR.
- III. That the Petitioners and the Complainant jointly declare that this compromise



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54

is genuine, bonafide, and entered into out of their own free will, and is not the result of any threat, coercion, or pressure from any quarter.

IV. That the Complainant further declares that she does not intend to support the prosecution in any manner and that any continuation of the criminal proceedings would be futile, causing prejudice to all parties, and would amount to an abuse of the process of this Hon'ble Court.

V. That upon the quashing of the FIR by this Hon'ble Court, the Complainant confirms that all disputes between the parties shall stand permanently buried and extinguished, and neither party shall have any further claim against the other arising from the subject matter of FIR No. 0007/2026.

In the above circumstances it is prayed that this Hon'ble Court may be pleased to call for the records and Quash the FIR in **Crime No. 0007 of 2026** on the file of the AWPS, St. Thomas Mount Chennai and pass such further other orders that may be deemed fit in the facts and circumstances of the case and thus render justice.

Dated at Chennai on this the 16th day of June 2026

- 1.
2. R. Srinivasan
3. V. Dheendrakumar

Petitioners

2nd Respondent (de facto Complainant)

Counsel for the Petitioners

Counsel for the 2nd Respondent



4. The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on complaint of the second respondent, an FIR came to be registered against the petitioners. He further submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offence, has to consider 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 investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

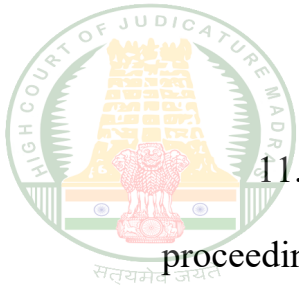
7. The petitioners and the second respondent/defacto complainant appeared before this Court and were duly identified by the learned counsel and the respondent Police.

8. On interaction by this Court, the second respondent/defacto complainant stated that she has amicably settled the dispute with the petitioners and she is 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 petitioners. 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 Crime No.0007 of 2026.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No. 0007 of 2026 pending on the file of the first respondent, is quashed. Consequently, connected miscellaneous petition is closed.

12. The affidavits and the Joint compromise Memo filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

25-06-2026

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

To

1. The Inspector of Police,
AWPS, ST. Thomas Mount,
Chennai-60 0016.

2. The Public Prosecutor,
High Court, Madras



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M.NIRMAL KUMAR, J.

PVS

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