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CRL OP No. 16094 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. 16094 of 2026

A.Subramani

..Petitioner(s)

Vs

1.The State Represented by the Inspector of Police
Jolarpet Police Station,
Tirupattur District.
Crime No.635/2024

2.Ananthi

..Respondent(s)

To Call for the records pending on the file of the 1st respondent police namely the Inspector of Police, Jolarpet Police Station, Tirupattur District in crime No.635/2024 and quash the Criminal proceedings and pass such further or other orders

For Petitioner(s):

Mr.E.Kannadasan

For Respondent(s):

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

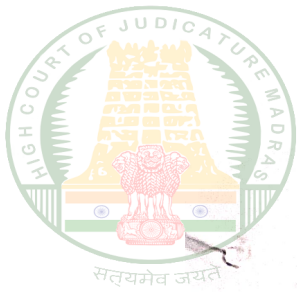


ORDER

The petitioner, who is arrayed as accused in Crime No.635 of 2024 for the offence under Sections 75(1)(i), 77, 79 of BNS 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, has filed this quash petition.

2.The case of the prosecution is that the petitioner was a Head Master in the Panchayat Union Middle, School at Tiruppatur. While the petitioner was temporarily working as Administrator-cum-Instructor, on 14.06.2024, the petitioner used to harass the second respondent/de facto complainant by pinching her chin, touching her thigh and back, and kissed her on chin. On 14.10.2024 also, the petitioner she pinched her chin and gave a kiss. Subsequently, the second respondent lodged a complaint, pursuant to which, an FIR came to be registered against the petitioner.

3.The learned counsel for the petitioner submitted that the occurrence arose out of a misunderstanding between the parties, which was purely personal in nature. Subsequently, with the intervention of elders and well-wishers, the parties resolved their differences amicably. In view of the settlement, they have filed a Joint Compromise Memo, which was scanned and reproduced hereunder:



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

Crl.O.P.No. 16094 of 2026
in

Crime No. 635 of 2024

(On the file of the Inspector of Police, Jolarpet
Police Station, Tirupattur District.)

A-SUBRAMANI, Male/aged about 54 years,
S/o.Arjunan,
No.2/295, J1, A.M. Govindasamy Street,
New Town,
Vaniyambodi Taluk,
Tirupattur District.

...Petitioner/Single Accused

Vs.

1.State Rep. by The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.
(Crime.No.63/2024)

...1st Respondent/Complainant

2.ANANTHI, Female/aged about 26 years,
W/o.Late.Aravindan,
Periya Mottur Village,
Natrampalli Taluk,
Tirupattur District.

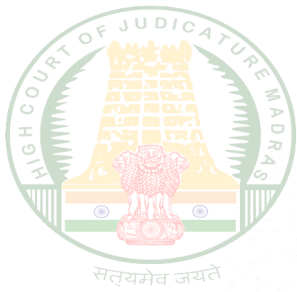
Defacto
...2nd Respondent/Complainant

JOINT COMPROMISE MEMO FILED BY THE PETITIONER/ACCUSED
AND 2ND RESPONDENT/DEFACTO COMPLAINANT

The petitioner/accused and the 2nd respondent/defacto
complainant are begs to submit as follows:-

x

x



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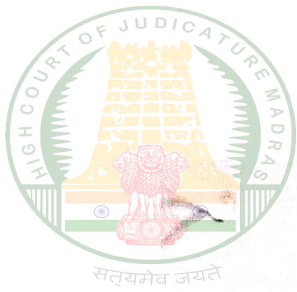


1. The petitioner/accused and the 2nd respondent/defacto complainant submit that on the instigation of the local persons, the 2nd respondent/defacto complainant preferred a complaint against the petitioner before the 1st respondent police. On receipt of her complaint the 1st respondent police registered a case in Crime.No.635/2024 for the offence under sections 75(1)(i), 77, 79 of BNS 2023 and section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act 2002 and he was arrested subsequently enlarged on bail by the Learned Court of Sessions Division of Tirupattur, Tirupattur District in Crl.M.P.No.1138/2026 dated 22.10.2024.

2. The petitioner/accused and the 2nd respondent/defacto complainant submit that after coming out on bail co-teachers and his relatives were approached the parents and relatives of the 2nd respondent/defacto complainant and convened panchayath and explained about his innocence at that time alone the 2nd respondent/defacto complainant revealed that only on the instigation of the local head persons, she preferred a complaint against the petitioner. On the instigation of the mediators and both of their relatives were advised them to settle the issue in an amicable manner. Hence, they have voluntarily come forward and filing this joint compromise memo without any coercion or undue influence.

x H. Jeyaraj

x T. S. S. S.

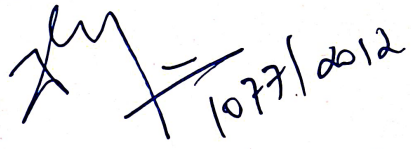


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It is therefore prayed that this Hon'ble court may be pleased to accept the joint compromise memo filed by the petitioner/ accused and the 2nd respondent/defcto complainant and dispose the quash petition filed by the petitioners/accused in Crl.O.P.No. /2026 in Crime.No.635/2026 pending on file of the Inspector of Police, Jolarpet Police Station, Tirupattur District and pass such further or other orders and thus render justice.

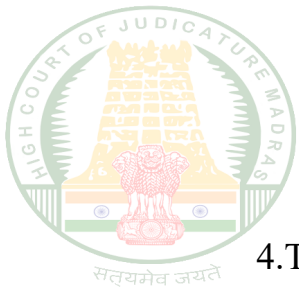
Dated at Madras this the day of June 2026

X 
PETITIONER/ACCUSED


COUNSEL FOR PETITIONER/
ACCUSED

X 
2nd RESPONDENT/DEFACTO
COMPLAINANT

COUNSEL FOR 2ND RESPONDENT/
DEFACTO COMPLAINANT



4.The learned Govt. Advocate (Crl. Side) appearing for the first respondent submitted that based on the complaint of the second respondent, an FIR came to be registered against the petitioner. 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 petitioner and the second respondent/de facto complainant appeared before this Court and were duly identified by the counsel and the respondent Police.

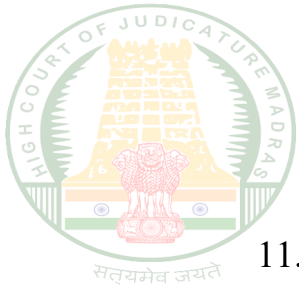
8.On interaction by this Court, the second respondent/de facto complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.



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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 petitioner 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 petitioner in Crime No.635 of 2024.

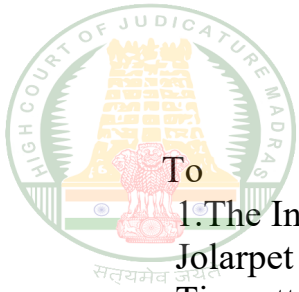


11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No. 635 of 2024 pending on the file of the first respondent, is quashed.

12. The affidavits and the Joint compromise Memo filed by the petitioner 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
Jolarpet Police Station,
Tirupattur District.

Crime No.635/2024

2.The Public Prosecutor,
High Court, Madras.

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M.NIRMAL KUMAR, J.

PVS

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