



Crl.O.P.No.31594 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31594 of 2025

Praveenraj

... Petitioner

Vs.

1. S.Mohana

2.The State represented by
The Inspector of Police,
Anaicut Police station,
Kanchipuram District.
(Crime No.329/2016)

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in S.C.No.54
of 2019, on the file of the Mahila court, Chengalpet and quash the same

For Petitioner : Mr.M.L.Ramesh

For R1 : Mr.A.Harshavardhan

For R2 : Mr.K.M.D.Muhilan
Additional Public Prosecutor



ORDER

This Criminal Original Petition has been filed seeking to call for the records in S.C.No.54 of 2019, on the file of the Mahila Court, Chengalpet and to quash the same.

2. Based on the complaint given by the *de facto* complainant/R1, a case in Crime No.329 of 2016 was registered on the file of the 2nd respondent/Police against the petitioner and on completion of investigation, a final report was filed before the Mahila Court, Chengalpet for the offences under Sections 323, 506(II), 376(1), 366 and 354A(1)(i) of Indian Penal Code, 1860 and the same was taken on file in S.C.No.54 of 2019.

3. Heard the learned counsel appearing for the petitioner, learned counsel appearing for the first respondent and the learned Additional Public Prosecutor appearing for the second respondent.

4. Learned counsel appearing for the petitioner would submit that the petitioner and the *de facto* complainant/R1 are neighbours and childhood friends; there was consensual relationship between them, however, since it was opposed by her father, they could not get married; the *de facto* complainant was forced by her father and hence, she has given the complaint against the petitioner, based on



which, aforesaid case was registered. He would submit that since the petitioner's father and the *de facto* complainant's father belong to two rival political parties, the matter could not be compromised, due to which the trial got continued. He would further submit that the *de facto* complainant's father passed away in the year 2017 and, after the death of her father, due to intervention of the elders, the petitioner has married the *de facto* complainant and the marriage has also been registered at the Sub-Register's Office, Periamet on 16.02.2026. He would submit that the petitioner and *de facto* complainant have filed consent affidavits for compromising the matter. Therefore, when the parties have compromised the matter, no useful purpose will be served by continuing the impugned proceedings; hence, the impugned proceedings may be quashed on the ground of compromise.

5. Learned counsel appearing for the *de facto* complainant/R1 would submit that the *de facto* complainant and the petitioner were in consensual relationship for a long time, however, due to compulsion of her father, she was forced to give a complaint, and after the death of her father, marriage was solemnised between them.

6. The petitioner stated that he has settled the dispute with the *de facto* complainant amicably and hence, seek to quash the impugned proceedings. They have also filed an affidavit and a Joint Memo of Compromise to that effect.



WEB COPY

7. The petitioner and the *de facto* complainant/R1 appeared before this Court and were identified by their respective counsel as well as Mr.M.Manoj, PC 956, G-10 Anaicut Police Station.

8. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the proceedings and therefore, seeks to quash the same.

9. Learned Additional Public Prosecutor appearing on behalf of the second respondent submitted that based on the complaint given by the *de facto* complainant, the case was registered. He would further submit that though the parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether the offences of this nature can be quashed on the ground of compromise between parties.

10. Learned counsel appearing for the *de facto* complainant/R1 would submit that the parties have compromised the matter, pursuant to which, the petitioner have also married the *de facto* complainant and they are living as husband and wife.



WEB COPY

11. 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, 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.

12. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the first 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.



Crl.O.P.No.31594 of 2025

WEB COPY

13. In view of the above, this Court is inclined to quash the impugned proceedings in S.C.No.54 of 2019, on the file of the Mahila court, Chengalpet, in exercise of its jurisdiction under Section 482 of Cr.P.C.

14. Accordingly, the proceedings in S.C.No.54 of 2019, on the file of the Mahila court, Chengalpet is quashed as against the petitioner and this Criminal Original Petition is allowed. The affidavit and the Joint Memo of Compromise filed by the petitioner and the first respondent, for compromising the offences shall form part of the records.

23.02.2026

dsn

Neutral Citation:Yes/No



Crl.O.P.No.31594 of 2025

WEB COPY

To

1. The Mahila Judge, Chengalpet.
2. The Inspector Police,
Anaicut Police station,
Kanchipuram District.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.31594 of 2025

A.D.JAGADISH CHANDIRA, J.

dsm

Crl.O.P.No.31594 of 2025

23.02.2026