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CrI.O.P.No.6307 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2026

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.6307 of 2026

Harshavardhan

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
W33 Virugambakkam Police Station,
Maduravoyal, Chennai – 95.
(Crime No.30 of 2025)

2.Monisha

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records in Crime No.30 of 2025 on the file of the first respondent and quash the same.

For Petitioner : Ms.K.Zeenath Shariffa

For R1 : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor



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ORDER

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The petitioner/accused in Crime No.30 of 2025 for the offence under Section 69 of the Bharatiya Nyaya Sanhita (BNS Act, 2023 filed this quash petition.

2.The contention of the learned counsel for the petitioner is that the petitioner and the defacto complainant/victim were classmates, studying together from the year 2018 in Sindhu College, Poonamallee, at that time, the petitioner and the defacto complainant became friends and later their friendship blossomed into love affair, both of them were moving closely. They went to various places together and thereafter, from the year 2020 they started to have physical relationship on several occasions. The petitioner posted a photograph in Facebook which was seen by the petitioner's mother and sister, who objected it initially and later agreed for the marriage with the defacto complainant. Both the families agreed and engagement conducted but marriage was agreed to be performed after three years. Thereafter to, their relationship continued. On 30.09.2025, the petitioner asked for one more year to perform the marriage which was objected and doubt was caused to the defacto complainant. Hence, complaint lodged.



3.The learned Additional Public Prosecutor submitted that on the complaint of the defacto complainant, case registered in Crime No.30 of 2025 and in the complaint, the defacto complainant narrated her relationship with the petitioner from the year 2018 till 30.09.2025 when there was some misunderstanding with regard to extension of time for performing marriage. Both the petitioner and the defacto complainant are now major and they had conscious and consensus relationship. The marriage between the petitioner and the defacto complainant was solemnized on 28.01.2026 at Sree Guruvayoorappan Temple, Avadi and the same was registered in SRO Office, Virugambakkam on 30.01.2026.

4.Today, the petitioner and the defacto complainant appeared before this Court, their identity confirmed by the respondent police. During interaction in my Chamber, the petitioner and the defacto complainant confirmed that they got married on 28.01.2026 at Sree Guruvayoorappan Temple, Avadi and now they are living happily as husband and wife. The defacto complainant submitted that she is not willing to proceed with the case and ready to withdraw the case.

5.Considering the submissions made and on perusal of the materials, it



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is seen that both the petitioner and the defacto complainant are major and graduates having conscious and consensus relationship. Now the petitioner and the defacto complainant got married and their marriage certificate produced. Further, the defacto complainant is not willing to proceed with the case and they are living happily as husband and wife. The petitioner and the defacto complainant filed confirming affidavits individually and a joint compromise memo. From the affidavits, it is seen that the petitioner and the defacto complainant were having good relationship and the defacto complainant is not willing to proceed with the case and she is ready to withdraw the case. In view of the same, this Court finds that continuation of the proceedings will serve no purpose and it is only an abuse of process of law.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Crime No.30 of 2025 on the file of the first respondent is hereby quashed.

11.03.2026

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
cse



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To

- 1.The Inspector of Police,
W33 Virugambakkam Police Station,
Maduravoyal, Chennai – 95.
- 2.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

cse

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