

Praveenkumar Vs The State Rep. by the Inspector of Police

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Court : Chennai

Decided On : Jun-01-2026

Judge : Honourable Mr Justice M. Nirmal Kumar

Appeal No. : CRL OP/11301/2026

Appellant : Praveenkumar

Respondent : The State Rep. by the Inspector of Police

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 30.04.2026

PRONOUNCED ON : 01.06.2026

CORAM:

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR and Crl.M.P.No.8028 of 2026 Praveenkumar S/o.Thamburaj, D.No. 9/259, Dhamu Nagar, Kamaraj Nagar, Bodipatti, Udumalpet Taluk, Tiruppur District.
..Petitioner(s) Vs

1. The State Rep. by the Inspector of Police All Women Police Station, Udumalpet, Tiruppur District. Crime No. 31/2025.

2. Indira

D/o.Gurusamy, D.No. 14/40 , F-Vittal Boy Street, Ruthrapalayam, Madathukulam Taluk, Tiruppur District. ..Respondent(s) PRAYER: The Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for the entire records pertaining to C.C.No.29 of 2026 on the file of the Judicial Magistrate No.I, Udumalpet and quash the same. For Petitioner(s): Mr.B.Kumarasamy Page1 of 12 For Respondent-1: Mr.Leonard Arul Joseph Selvam, Additional Public Prosecutor Assisted by Ms.Harshana, T.

ORDER

The Criminal Original Petition has been filed seeking to quash C.C.No.29 of 2026 on the file of the Judicial Magistrate No.I, Udumalpet. 2.The petitioner/accused in C.C.No.29 of 2026 for offence under Sections 79, 351(3) of BNS, 2023, Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 and Sections 66E and 67A of Information Technology Act, 2000 had filed this quash petition.

3.The case of the prosecution is that the de facto complainant residing with her family members in Udumalpet and she was employed as telecaller in a finance company. The petitioner/accused is relative to the de facto complainant and he was in love with another relative girl Saranya. The petitioner used to visit de facto complainants house frequently and he used to take photographs of the de facto complainants relatives whenever they met for occasions. On 27.05.2024, the birthday of one Dharanidharan, brother of de facto complainants sister-in-law, celebrated. At that time, Dharanidharan asked the laptop of the petitioner for applying for a job. When the de facto complainant opened the laptop to see the job status of Dharanidharan, she accidentally

accessed the Telegram App and saw some messages. In the said App, she found nude photographs of Indhira/de facto complainant, Keerthana and Saranya. The said photographs morphed, the petitioner was called and enquired, and he sought apology, informed that he would not repeat such mistake in future. Thereafter, he erased the files from the laptop. Two days thereafter, the petitioner went to the house of Saranya and forced her to continue her relationship with him and to speak with lust. When she refused, he threatened her informing, he has all photo recordings stored in his mobile phone and he will publish the same in social media. Thereafter, she informed to the de facto complainant, who went to the house of the petitioner, enquired with his parents, collected the mobile phone and lodged a complaint. Based on the said complaint, case registered in Crime No.31 of 2025 on 01.06.2025. After completion of investigation, charge sheet filed on 12.02.2026 and the same taken on file in C.C.No.29 of 2026.

4.The contention of the petitioner is that the petitioner, de facto complainant and two other victims all closely related. The petitioner, a B.Sc. Computer Science graduate was employed in a software company at Bangalore and at that time, he used OPPO RENO 7 cell phone. The petitioners uncles sister is residing in Pethampatti and the petitioner was interested in his aunts daughter Saranya, from the year 2021 both of them fell in love with each other. The petitioner used to visit their house often and their relationship not objected. Page3 of 12

Further the petitioner used to visit the house of the de facto complainant for occasions and he used to take photographs in his mobile phone. Since he was a web developer, and he browsed software called Bot-Swaperface and Nudify - Undressme, used the photographs of the de facto complainant and two victims using the said software on experimental basis, without any ill intention. The petitioner recorded the same in his Telegram App and mirror image was available in his laptop.

When the laptop opened and browsed by the de facto complainant, the said photographs were found, which was objected by her. The petitioner immediately erased the photographs. Thereafter petitioner met his lover Saranya, who refused to speak with him and also forced him out from the house. The petitioner, in a heat of passion, threatened that photographs are still available in his mobile phone and he would upload in the social media. It was only a threat, which was taken seriously and a complaint lodged and petitioners mobile phone seized. The petitioner just browsed the software and thereafter retained in his mobile phone and not send it to anyone and there was no forward or publication and not caused any damage or ill reputation. The usage of the software is neither restricted nor banned. Be that as it may, now the petitioner and the de facto complainant and other two victims all have come to an understanding, finding photographs not morphed with any bad intention. Further, the petitioner is now having his own way of life and further continuation of F.I.R. will be an obstacle for his professional growth and he will not be considered for any on-site opportunities and petitioner has shown

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remorse and kept himself away from the victims. Considering all these aspects, compromise arrived between them and Affidavits and a Joint Memo of Compromise filed.

5.The learned Additional Public Prosecutor submitted that in this case on the complaint of the de facto complainant, a case was registered. Now investigation completed, charge sheet filed listing 10 witnesses. The de facto complainant/LW1 and two others, LW2 and LW3 are victims in this case. All closely related to the petitioner, who used to visit the house of de facto complainant and take photographs in his mobile phone. Further petitioner was in love with LW3, another relative. On one occasion, the petitioners laptop was opened by LW4, the brother of LW3 for applying for a job. When the de facto complainant opened the laptop to see the job status of Dharanidaran/LW4, she accidentally browsed through the

Telegram App and found morphed nude pictures of LW1 to LW3. Thereafter the petitioner was warned, and he also removed all morphed photos. Two days later petitioner went to the house of LW2, forced her to continue the love relationship. When she refused, petitioner threatened to upload the morphed pictures available in his mobile in social media. Thereafter the mobile phone was seized and sent to forensic science laboratory to confirm and prove the downloading of morphed photographs of LW1 to LW3. In this case the other witnesses, LW5/father of LW3 and LW4, LW6/father of LW1 and LW7/ husband of LW1, all are close relatives, who Page5 of 12

confirm the close relationship and the fact of the petitioner taking photographs of the victims. LW8 is the Grade-I WPC, who produced the seized Oppo Reno 7 phone of the petitioner for forensic examination. LW9 is the Sub Inspector of Police, who registered the F.I.R. On conclusion of investigation, charge sheet filed. He further submitted that in the laptop, he had only mirror images, which were erased and they will not be available in the laptop, now laptop also damaged and destroyed. For confirmation of the photographs in the mobile phone, the same submitted to the Forensic Science Laboratory. Now the issue had been resolved between the petitioner and the de facto complainant and other two victims, all filed affidavits and Joint Compromise Memo, confirming they are not interested in proceeding with the case against the petitioner.

6.The petitioner and three victims, LW1 to LW3 appeared before the Court. They were enquired, all confirmed, they entered into a compromise and they admonished the act of the petitioner considering the close relationship and future of the petitioner and further the petitioner not uploaded any of the morphed pictures on social media, only caused a threat.

7.Now the parties have arrived at a compromise and filed Joint Compromise Memo confirming the compromise. The terms of Joint Compromise Memo signed

by both the parties are extracted hereunder: Page6 of 12 JOINT COMPROMISE MEMO FILED BY THE PETITIONER. THE 2nd RESPONDENT AND LWs.2 & 3 The Petitioner, the 2nd Respondent and LWs.2 & 3 humbly submit as follows:-

1. We submit that the 2nd respondent preferred a complaint

before the 1st respondent, who in turn registered a case in Crime No.31/2025 for the offence under section 66E of Information Technology Act 2000, section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 and section 79 & 351(3) of BNS Act 2023 against the petitioner, on the allegation that while the 2nd respondent sister-in-law's brother celebrating his birthday in their house at the time the accused who is a close relative participated the birthday celebration and taken photographs. In such circumstance, on 27.05.2024 the 2nd respondent/LW1 found her photos, her sister-in-law Keerthana/LW3 and her close relative Saranya/LW2 photos morphing/nakedly photographs, in his mobile phone Oppo Reno 7 (telegram app.) After the investigation the 1st respondent police altered the offence under section 66E of Information Technology Act 2000, section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 and section 79 & 351(3) of BNS Act 2023 and section 67A of Information Technology Act 2000 and filed final report before the Judicial Magistrate No.1, Udumalpet and the same was taken on file in C.C.No.29/2026.

2. The Petitioner submits that pending the above case, the

petitioner as well as the 2nd respondent and the LWs.2 & 3, at the intervention of elders and well wishers of petitioner as well as the respondent and LWs.2 & 3 compromise the dispute between them. The Page7 of 12 petitioner, the 2nd respondent and LWs.2 & 3 give quiet to the dispute and lead to peaceful life. Accordingly the petitioner, the 2nd respondent and LWs.2 & 3 buried the dispute. Now all of them are in cordial relationship.

3. We submit that the 2nd respondent and LWs.2 & 3 are filed a

consent affidavit in this quash petition and willing to compromise the dispute between them have no objection in quashing the case pending against the petitioner in C.C.No.29 of 2026 pending on the file of Judicial Magistrate No.1, Udumalpet. Hence, in the interest of justice, the compromise can be accepted and the case in C.C.No.29 of 2026 may be quashed by allowing present petition.

It is therefore prayed that this Honourable Court may be pleased to record the consent affidavit and joint compromise memo filed by the Petitioner, the 2nd Respondent and LWs.2 & 3 and quash the charge sheet in C.C.No.29 of 2026 on the file of Judicial Magistrate No.1, Udumalpet against the petitioner by allowing the above quash petition and thus render justice.

8. 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-

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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.

9. 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 in C.C.No.29 of 2026, on the file of Judicial Magistrate Court No.I, Udumalpet, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, the Criminal Original Petition is allowed and the

criminal proceedings in C.C.No.29 of 2026, on the file of Judicial Magistrate Court No.I, Udumalpet, is quashed as against the petitioner. The petitioner is discharged from all charges. Page9 of 12

11.It is seen that the mobile phone OPPO RENO 7 IMEI.1.862661053504235, IMEI.2.862661053504227 has been submitted to the Forensic Science Lab in Case No.CBE/CF/171/2025 dated 29.07.2025. In view of the same, the Deputy Director, Forensic Science Laboratory, Coimbatore is directed to erase, demat the mobile phone and thereafter send it back to the trial Court. After receiving the said mobile phone, the same can be handed over to the petitioner.

12. The affidavits and the Joint Memo of Compromise filed by the

petitioner, de facto complainant/LW1 and two other victims/LW2 and LW3 for compromising the offences shall form part of the records. Consequently, the connected Criminal Miscellaneous Petition is closed. 01.06.2026 Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No RSI Page10 of 12 To

1. The Judicial Magistrate No.I, Udumalpet.

2. The Inspector of Police, All Women Police Station, Udumalpet, Tiruppur District.

3. The Public Prosecutor, High Court, Madras. Page11 of 12

M.NIRMAL KUMAR, J.

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