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CRL OP No. 31782 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. 31782 of 2025  
and CRL.MP.No.21950 of 2025**

G.Dinesh

..Petitioner(s)

Vs

1. The Inspector of Police  
Otteri Police Station  
Chennai-12
2. Priya

..Respondent(s)

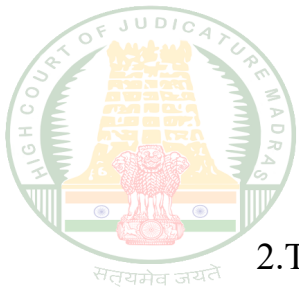
To call for the records vide proceedings in Cr.No.404 of 2019 dated 21.06.2019 and pending on the file of the 1st respondent and quash the same

For Petitioner(s): Mr.T.Annamalai

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1

### **ORDER**

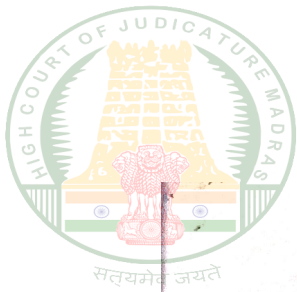
The petitioner, who is arrayed as accused in Crime No. 404 of 2019 for the offence under Section 341, 294(b), 323, 506(1) r/w. Section 4 of TNPWH Act, has filed this quash petition.



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2.The case of the prosecution is that the petitioner and the second respondent/de facto complainant are neighbours and that there exists a land dispute between them. On 21.06.2019, at about 10.30 a.m., pursuant to petitioner's complaint, Corporation employees visited the second respondent's house and enquired about the land dispute. At the time of enquiry, the petitioner allegedly picked up a quarrel with the second respondent, abused her in filthy language, pushed her, and also abused her mother. 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 petitioners as well as the learned counsel for the de facto complainant 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, the second respondent filed an affidavit, dated 18.03.2026 expressing no objection for quashing the FIR, which is scanned and reproduced hereunder:



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**IN THE HIGH COURT OF JUDICATURE AT MADRAS  
(CRIMINAL ORIGINAL JURISDICTION)****Crl.O.P. No. 31782 of 2025**

G. Dinesh (A/35),  
S/O, Ganesan,  
No.9, Strahans Road, 1<sup>st</sup> street,  
Otteri, Chennai-600012

... Petitioner / Accused

Vs.

1. The Inspector of Police,  
Otteri Police Station,  
Chennai – 600 012.
2. Priya  
W/o. Prakash,  
No.1/1, Strahans Road,  
1st Street, Otteri,  
Chennai – 600 012.

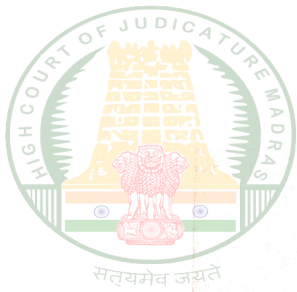
... Respondents

**AFFIDAVIT OF THE 2ND RESPONDENT/DEFACTO COMPLAINANT  
FILED IN SUPPORT OF QUASHING OF FIR IN CRIME NO. 404 OF  
2019**

I, Priya, W/o. Prakash, Hindu, aged about 43 years, residing at No.1/1, Strahans Road, 1st Street, Otteri, Chennai – 600 012, do hereby solemnly affirm and sincerely state as follows:

1. I am the 2nd respondent and the defacto complainant in Crime No. 404 of 2019 registered by the 1st respondent police (Otteri Police Station) and I am fully conversant with the facts and circumstances of this case and hence I am competent to swear to this affidavit.
2. I state that on 21.06.2019, I had lodged a complaint against the petitioner herein and others, which was registered as Crime No. 404 of 2019. Subsequent to the registration of the said FIR, the police conducted investigation.

*P. Priya*



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3. I submit that after the lapse of time, due to the intervention of well-wishers, elders and family friends, the dispute between me and the petitioner has been amicably settled. The petitioner and I have resolved all our differences and have buried our misunderstandings. We have decided to live in peace and harmony henceforth.

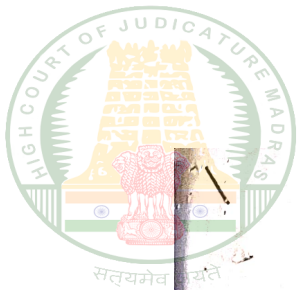
4. I state that in view of the said settlement, I am no longer interested in prosecuting the petitioner or in pursuing the complaint lodged by me. I have voluntarily, without any coercion or undue influence, decided to withdraw my complaint and I have no objection if the proceedings in Crime No. 404 of 2019 on the file of the 1st respondent police are quashed by this Hon'ble Court.

5. I submit that I had already addressed a letter to the 1st respondent police expressing my intention to withdraw the complaint and informing them about the settlement. The said letter was handed over to the 1st respondent police. Though I do not have a copy of the said letter in my possession at present, I affirm that such letter was indeed given to the police authorities. The 1st respondent police assured me that they would close the case, but due to procedural requirements, the closure is yet to be effected.

6. I am filing this affidavit voluntarily to place on record my unequivocal no objection for quashing the FIR. I undertake to file a certified copy of the withdrawal letter if the same can be obtained from the police records, or to affirm further affidavits as may be directed by this Hon'ble Court.

7. I state that the continuation of the criminal proceedings against the petitioner will not serve any purpose and will only cause unnecessary harassment to the petitioner. Since the matter is purely personal in nature and the parties have reconciled, no useful purpose will be served by keeping the FIR alive.

*CP. Priga*



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8. I submit that I have no objection if this Hon'ble Court is pleased to quash the FIR in Crime No. 404 of 2019, pending on the file of the 1st respondent police, against the petitioner. I undertake that I shall not re-open the dispute or file any fresh complaint arising out of the same incident.

9. I state that this affidavit is filed voluntarily, out of my free will, and without any threat, coercion, or pressure from any quarter. I am aware that by filing this affidavit, the criminal proceedings may be quashed and the petitioner may be discharged.

10. I therefore humbly pray that this Hon'ble Court may be pleased to accept this affidavit and pass appropriate orders quashing the FIR in Crime No. 404 of 2019, in the interest of justice.

Solemnly affirmed at Chennai

On this 18<sup>th</sup> Day of March 2026

*P. Priya*  
Deponent

*K. Sankar Arachchi*  
Before Me  
MS 1308/2010  
77, ADOL LAY CHAMBERS  
HIGH COURT BUILDINGS  
CH-104

**VERIFICATION**

I, Priya, the deponent above named, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at Chennai on this 18<sup>th</sup> day of March 2026.

*P. Priya*  
Deponent

*K. Sankar Arachchi*  
Before Me  
MS 1308/2010  
77, ADOL LAY CHAMBERS  
HIGH COURT BUILDINGS  
CH-104



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 petitioners and the second respondent/de facto complainant appeared before this Court and were duly identified by the counsel and the respondent Police.

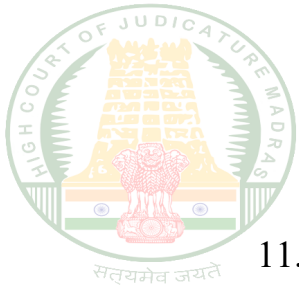
8.On interaction by this Court, the second respondent/de facto complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.



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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.404 of 2019.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No. 404 of 2019 pending on the file of the first respondent, is quashed. Consequently, connected miscellaneous petition is closed.

12. The affidavit, dated 18.3.2026 filed by 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  
Otteri Police Station  
Chennai-12
2. The Public Prosecutor,  
High Court, Madras

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CRL OP No. 31782 of 2



**M.NIRMAL KUMAR, J.**

**PVS**

**CRL OP No. 31782 of 2025**

**25-06-2026**