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CRL OP Nos. 26652 and 26658
of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP Nos. 26652 and 26658 of 2025 &
Crl.M.P.Nos.18082 and 18089 of 2025**

1. Rajivgandhi
2. Vallarasu
3. Mano
4. Prathap

Petitioners in
Crl.O.P.no.26652 of 2025

Vs

1. The State by, The Inspector of Police,
R.K.Pet Police Station, Tiruvallur
District. Cr.No.652/2024.

- 2.Kalaivani

Respondents in
Crl.O.P.no.26652 of 2025

1. Arun @ Arun Prasad
2. Madhan
3. Gopi@Gopikrishnan



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CRL OP Nos. 26652 and 26658
of 2025



4. Murali

Petitioners in
Crl.O.P.no.26658 of 2025

Vs

1. The State by, The Inspector of Police,
R.K.Pet Police Station, Tiruvallur
District. Cr.No.652/2024.

2.Rajivgandhi

Respondents in
Crl.O.P.no.26652 of 2025

PRAYER in Crl.O.P.No.26652 of 2025

Criminal Original Petition filed under Section 528 of BNSS Act to call for the records in Cr.No.652/2024 on the file of 1st respondent police and quash the same.

PRAYER in Crl.O.P.No.26658 of 2025

Criminal Original Petition filed under Section 528 of BNSS Act to call for the records in Cr.No.651/2024 on the file of 1st respondent police and quash the same.

Crl.O.P.No.26652 of 2025

For Petitioner(s): Mr.M.R.Elavarasan

For Respondent(s): Mr.R.Vinothraja for R1



Government Advocate (Crl.Side)
Mr.Ragul Kausik for R2

Crl.O.P.No.26658 of 2025

For Petitioner(s): Mr.M.R.Elavarasan

For Respondent(s): Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)
Mr.P.Venkatesan for R2

C O M M O N O R D E R

Since the issues involved in both the petitions are one and the same, they are taken up together and a common order is being passed.

2. These Criminal Original Petitions have been filed to quash the cases in FIRs in Crime Nos.651 and 652 of 2024 pending on the file of the 1st respondent police for the offences under Sections 296(b), 115(2), 118(1), 351(3) and 109 of BNSS and under Sections under Section 296(b), 115(2), 118(1), 351(3) of BNSS Act and Sections 3(1)(r), 3(1)(s), 3(1)(v) of SC/ST (Prevention of Atrocities Act, 1989 respectively.

3. The allegations against the petitioners is that the petitioners have driven the two wheeler in a rash and negligent manner and when the same was questioned by the defacto complainant, the petitioners have attacked the defacto

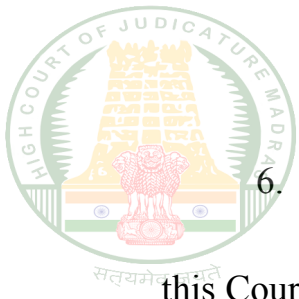


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complainants with wooden logs and threatened with dire consequences and abused with filthy language. Hence the complaints have been lodged and the Crime Nos. 651 and 652 of 2024 for offences under Sections 296(b), 115(2), 118(1), 351(3) and 109 of BNSS and under Sections 296(b), 115(2), 118(1), 351(3) of IPC and Section 3(1)(r), 3(1)(s), 3(1)(v) of SC/ST (Prevention of Atrocities Act, 1989 respectively have been registered against the petitioners.

4. The petitioners along with the second respondent in both the petitions have stated that the petitioners and the defacto complainant are residing in the same village and now, there is no problem existing between them and that they are living their life peacefully, therefore, they have amicably settled the issues between themselves and hence, seek to quash the FIRs.

5. Mr.P.V.Rajendra Babu, S.I. Of Police, D4, R.K.Pet Police Station, Thiruvallur District was present before this Court and he informed this Court that the second respondent in both the petitions had approached him and informed him that they do not want to proceed further with the criminal case registered as against the petitioners.



6. The second respondent in both the petitions were also present before this Court at the time of hearing. This Court enquired the 2nd respondent in both the petitions and they stated that they seek to quash the criminal proceedings.

7. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while these cases are pending, this Court, taking into account the seriousness of the offence has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

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 petitioners. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, 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



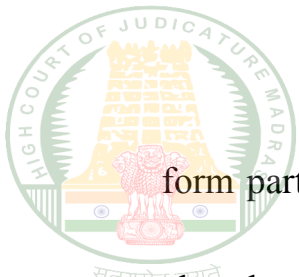
the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The

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Hon'ble Supreme Court has held that offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

9. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainants and quashing the proceedings, will not affect any overriding public interest in these cases 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 FIRs in Crime Nos.651 of 2024 and 652 of 2024 on the file of the 1st respondent police in exercise of its jurisdiction under Section 482 of Cr.P.C. / Section 528 of BNSS Act.

9. Accordingly, these Criminal Original Petitions are allowed and the cases in Crime Nos.651 and 652 of 2024 on the file of the 1st respondent police, are quashed. The Joint Compromise Memos filed by the petitioners and the second respondent in both the petitions for compromising the offences shall



form part of the records. Consequently, connected miscellaneous petitions are closed.

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25-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssd

To

1. The State by, The Inspector of Police,
R.K.Pet Police Station, Tiruvallur
District. Cr.No.652/2024.

2. The Public Prosecutor
High Court, Madras



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CRL OP Nos. 26652 and 26
of 2



N.SATHISH KUMAR J.

ssd

**CRL OP Nos. 26652 and
26658 of 2025**

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