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CRL OP No. 31920 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CRL OP No. 31920 of 2025

and

CrI.MP.No.22064 of 2025

1. Sarvajeeth Halder
S/o.Biswajit Halder,
Residing at No. 4/360,
Sri Jayendra Colony,
Vijayashanthi Apartments,
OMR Road, Kandhanchavadi,
Chennai - 600096.

Petitioner(s)

Vs

1. State Rep. By
The Inspector of Police
J-13, Taramani Police Station,
Chennai. Crime No. 195/2025.

2.Suganantham
S/o.Santhanam, No. 10, Rajiv Nagar,
Perungudi, Chennai - 96.

Respondent(s)

PRAYER:The criminal original petition filed under Section 528 of BNSS Act, to call for the records relating to the FIR in Crime No. 195/2025 on the file of



the Inspector of Police, J-13, Taramani police station, Chennai and quash the same.

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For Petitioner(s): Ms. Rita Chandrasekar
For Ms.R.Meenakshi

For Respondent(s): Mr.K.M.D. Muhilan
Additional Public Prosecutor
for R1

ORDER

This criminal original petition has been filed to quash the FIR in crime No.195 of 2025 for offences under Sections 296 (b) and 118(1) of B.N.S. Act, 2023.

2.The gist of the complaint is that on 14.09.2025 at about 6.30 am., the respondent police, on receiving information from the Government Royapettah Hospital, had gone there. At that time, the de facto complainant/second respondent informed that on 13.09.2025, he was employed as Assistant Security Officer in Vijayashanthi Apartments, Kandhanchavadi. During the night hours, when he was on duty, the petitioner and his wife, who are residing there, had some dispute between them and they were abusing each other, which took place



outside their house within the apartment premises. At that time, the de facto complainant/second respondent as a Security Officer intervened in the fight to save the petitioner's wife from being attacked. In the course of the fight, the petitioner abused the de facto complainant in Hindi, pushed him down, kicked him and attacked him with a stone. On seeing others coming out from the apartment, petitioner left the place. The de facto complainant sustained injuries and thereafter, with the help of his daughter and others, he was taken by ambulance to the Government Royapettah Hospital. On receipt of the complaint, a case was registered.

3.The learned counsel for the petitioner submitted that the Petitioner an employee in a Public Sector Bank holding a respectable position. Further, in a fit of rage during a dispute between the petitioner and his wife, the second respondent unnecessarily intervened and caught in the melee, the petitioner had no intention to attack the de facto complainant. During the intervention, the de facto complainant slipped, fell down and sustained injuries, for which, the



petitioner is now prosecuted. The petitioner, on humanitarian consideration considering de facto complainant sustained injuries, provided him with all medial assistance including treatment at MIOT hospital and paid around Rs.2,00,000/- to the de facto complainant including medical expenses. Now de facto complainant and petitioner resolved the issue and de facto complainant comes forward to withdraw the complaint.

4.The second respondent/de facto complainant appeared in person and confirmed the incident took place due to a quarrel between the husband and wife. He intervened got slipped and fell down sustained injuries. He further confirmed that he was given medical treatment and adequately compensated by the petitioner. Further de fact complainant has no objection to quash the FIR.

5.The learned Additional Public Prosecutor submitted that the de facto complainant employed as a Security Officer in Vijayasanthi Aparatments.



During quarrel between husband and wife, de facto complainant intervened, slipped and fell down, sustained injuries. The petitioner adequately compensated de facto complainant also provided all medical help. A joint compromise affidavit filed before this Court and handed over to the respondent police. The respondent police verified the identity of both the petitioner and the de facto complainant and confirmed compromise as genuine. It is further submitted that the petitioner is a respectable person serving in a responsible position in a Public Sector Bank. The wife of the petitioner is also present before this Court today. She confirmed that it was a usual fight between the husband and wife and they are now living together happily. During the fight, the de facto complainant intervened, fell down. The issue has now been amicably resolved between the de facto complaint and petitioner.

6.Considering the submission and under such circumstances, no useful purpose would be served by keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of



the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC**

641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.195 of 2025, on the file of the first respondent police.

7.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.195 of 2025, on the file of the first respondent police, is hereby quashed.

24-11-2025

Index:Yes/No

Speaking/Non-speaking order

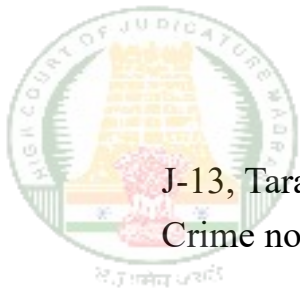
Internet:Yes

Neutral Citation:Yes/No

sms

To

1.State Rep. by The Inspector of Police



J-13, Taramani Police Station, Chennai.
Crime no. 195/2025.

2.Suganantham

S/o.Santhanam, No. 10, Rajiv Nagar,
Perungudi, Chennai – 96.

3.The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR,J.,

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