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CrI.O.P.No.32649 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.32649 of 2025

1. Vallarasu
2. Jegatheesan
3. Yuvaraj

... Petitioners

Vs.

1. The State rep. by
The Sub Inspector of Police
Dusi Police Station
Thiruvannamalai District
(Crime No.176 of 2024)

2. Pitchandi

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records relating to the proceedings in Crime No.176 of 2024, on the file of the first respondent police and quash the same.

For Petitioners	: Mr.P.Surendar
For R1	: Mr.K.M.D. Muhilan Additional Public Prosecutor
For R2	: Mr.G.Ajay Raj

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.176 of 2024, pending on the file of the first respondent police, on the ground of compromise.



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2. The learned counsel for the petitioners and the de facto complainant/R2 would submit that based on the complaint given by the de facto complainant, the case in Crime No.176 of 2024, came to be registered against the petitioners for the offences under Sections 294(b) and 447 of IPC and Section 3(1) of TN Public Property (Prevention of Damage & Loss) Act, 1992. The learned counsel further submitted that now, the parties have amicably settled the matter and decided not to pursue the matter any further and a Joint Compromise Memo dated 07.11.2025, has also been filed to that effect.

3. The petitioners were present before this Court at the time of hearing. The second respondent/de facto complainant appeared through video conferencing and both the parties were identified by their respective counsel and by Mr.B.Kumaresan, HC2326, Dusi Police Station, Thiruvannamalai District

4. This Court enquired both the parties. The de facto complainant who appeared through video conferencing submitted that due to illness, he could not appear before the Court in person and he has no objection in the FIR against the petitioners being quashed. This Court is satisfied that the parties have come to an amicable settlement between themselves.

5. The learned Additional Public Prosecutor appearing on behalf of the first respondent police submitted that though the parties entered into a



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compromise while the investigation is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

6. 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 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./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.

7. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the de facto complainant and quashing the proceedings, will not affect any overriding public interest in this case and no useful purpose will be served



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in continuing with the criminal proceedings.

8. In view of the above, this Court is inclined to quash the First Information Report registered against the petitioners, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.

9. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered against the petitioners in Crime No.176 of 2024, on the file of the first respondent police, is quashed subject to condition that the petitioners shall pay costs of Rs.15,000/- (Rupees Fifteen Thousand Only) Jointly, to the credit of Tamil Nadu State Legal Services Authority, on or before 26.12.2025.

10. The affidavit filed by the de facto complainant/R2 dated 05.10.2025 and the Joint Compromise Memo dated 07.11.2025 signed by the parties, for compromising the offences, shall form part of the records.

11. Post the matter on 06.01.2026 “for reporting compliance.”

08.12.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

Note: Issue order copy on 12.12.2025.



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- 1.The Sub Inspector of Police
Dusi Police Station
Thiruvannamalai District
- 2.The Public Prosecutor
High Court of Madras, Chennai



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08.12.2025



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CrI.O.P.No.32649 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.32649 of 2025

1. Vallarasu
 2. Jegatheesan
 3. Yuvaraj
- ...Petitioners

Vs.

1. State rep. by,
The Sub-Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
Crime No.176 of 2024
 2. Pitchandi
- ...Respondents

For Petitioners : Mr.P.Surendar

For Respondents : Mr.S.Santhosh, GA(CrI. Side), for R1
: Mr.G.Ajay Raj, for R2

ORDER

Today, this matter was listed under the caption “for reporting compliance”.

2. It was reported that the order of this Court dated 08.12.2025, directing the petitioners to pay costs of Rs.15,000/- jointly, to the credit of Tamil Nadu State Legal Services Authority has been complied with and the Memo of Compliance to that effect has also been filed before this Court.



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A.D.JAGADISH CHANDIRA, J.

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3. The same is recorded and therefore, no further order is required.

The said Memo of Compliance shall form part of the records.

28.01.2026

skt

To:

1. The Sub-Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
2. The Public Prosecutor,
High Court of Madras.
3. The Member Secretary,
Tamil Nadu State Legal Services Authority,
High Court Campus, Chennai – 600 104.

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