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Crl.O.P.Nos.32302 and 32464 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.32302 and 32464 of 2025

1. Ramanan
2. Naveen Kumar
3. Viji
4. Poovarasan
5. Imrankhan
6. Muthurasu
7. Raji
8. Vijayakanth ... Petitioners in Crl.O.P.No.32302 of 2025

1. Selvapathi
2. Premkumar
3. Thangaraj
4. Umashankar ... Petitioners in Crl.O.P.No.32464 of 2025
Vs.

1.State rep. by
The Inspector of Police
Hogenakkal Police Station,
Dharmapuri District.
(Crime No.127 of 2025)

2. Selvapathi ... Respondents in Crl.O.P.No.32302 of 2025

1.State rep. by
The Inspector of Police
Hogenakkal Police Station,
Dharmapuri District.
(Crime No.128 of 2025)

2. Ramanan ... Respondents in Crl.O.P.No.32464 of 2025



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Common Prayer: Criminal Original Petitions filed under Section 528 of B.N.S.S. to quash the FIR in Crime Nos.127 and 128 of 2025 respectively, on the file of the Inspector of Police, Hogenakkal Police Station, Dharmapuri District.

In Both cases:

For Petitioners : Mr.N.Kannan

For Respondents : Mr.K.M.D. Muhilan
Additional Public Prosecutor for R1

COMMON ORDER

These Criminal original petitions have been filed seeking to quash the First Information Reports filed in Crime Nos.127 and 128 of 2025 respectively on the file of the Inspector of Police, Hogenakkal Police Station, Dharmapuri District registered for the offences under Sections 296(b), 115(2) & 118(1) of BNS Act, 2023 and Sections 296(b) & 115(2) of BNS Act, 2023 respectively on the ground of compromise.

2. This is a case of case and counter case. The case of the prosecution as per the de facto complainant in the respective petitions is that there was a wordy quarrel between the petitioners and the defacto complainant in the respective petitions, due to which, they attacked each other and caused injuries. Hence, the above FIRs came to be registered against the petitioners in respective petitions.

3. The learned counsel for the petitioners and the de facto complainant in respective petitions would submit that now, the parties have



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amicably settled the dispute between themselves and they have also filed a Joint Memo of Compromise to that effect.

4. The petitioners and the de facto complainant/2nd respondent in respective petitions were present before this Court at the time of hearing and they were identified by the learned counsel for the petitioners and by Mr.M.Selvam, S.S.I., Hogenakkal Police Station, Dharmapuri District.

5. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. The learned Additional Public Prosecutor appearing on behalf of the first respondent police submitted that though the parties entered into a compromise while the investigation is 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.

7. 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-



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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.

8. In the present cases, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the de facto 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.

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

10. Accordingly, these criminal original petitions are allowed and the First Information Reports registered against the petitioners in respective petitions in Crime Nos.127 and 128 of 2025, on the file of the Inspector of Police, Hogenakkal Police Station, Dharmapuri District, are quashed subject to condition that the petitioners in respective petitions shall pay costs of Rs.5,000/- each (Rupees Five Thousand only), to the credit of Tamil Nadu State Legal Services Authority, Madras High Court campus, Chennai 600



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104, on or before 16.12.2025.

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11. The Joint Memo of Compromise dated 14.11.2025, signed by both the parties in respective petitions for compromising the offences, shall form part of the records.

04.12.2025

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Neutral Citation: Yes/No

Note : Issue order copy on or before 12.12.2025

To

1. The Inspector of Police
Hogenakkal Police Station,
Dharmapuri District.
2. The Public Prosecutor
High Court of Madras, Chennai



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A.D.JAGADISH CHANDIRA J.

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