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CRL OP No. 854 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

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

**CRL OP No. 854 of 2026
and Crl.M.P.No.2704 of 2026**

1. Thulasiraman
2. Dillibabu @ Babu
3. Sarath

..Petitioner(s)

Vs

1. The state rep.by, The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
2. S.Ponrasu

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the entire records relating to S.C.No.556 of 2025 pending on the file of the Principal District Sessions Court, Thiruvallur and quash the same.

For Petitioner(s): Mr.S.V.D.Rajendra Prasad

For Respondent(s): Mr.S.Vinoth kumar,
Government Advocate (Crl.Side) for R1
Ms.D.Monicka for R2

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.556 of 2025, on the file of the Principal District Sessions



Court, Thiruvallur, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

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2. Heard both sides and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.8 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS r/w Sections 3(1)(r) and 3(1)(s) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act 2015. After completion of investigation, a charge sheet was filed and taken cognizance of as aforesaid.

4. Learned counsel appearing for the petitioners submitted that the parties have now amicably settled the issue among themselves. He further submitted that pending investigation, the *de facto* complainant has received a compensation of Rs.90,000/- and the amount has also been repaid to the Government of Tamil Nadu vide challan No.20260216008464 on 16.02.2026. Hence, he seeks to quash the proceedings pending against the petitioners. Affidavits and a Joint Compromise Memo to that effect have also been filed.



5. Learned counsel for the second respondent/ de facto complainant submitted that the petitioners and the de facto complainant are studying in the same College and due to previous enmity, the de facto complainant has lodged a complaint against the petitioners. He further submitted that on the advice of elders, the parties have now amicably settled the issue among themselves.

6. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.V.Lingappan, HC, R.K.Pet Police Station, Thiruvallur District.

7. On being enquired by this Court, the *de facto* complainant stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

8. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though the parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

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 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. (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 petitioners 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 petitioners in S.C.No.556 of 2025 on the file of the Principal District Sessions Court, Thiruvallur, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C.No.556 of 2025 pending on the file of the Principal District Sessions Court, Thiruvallur, is quashed as against the petitioners. Consequently, connected Miscellaneous Petition is closed.

12. The affidavits and the Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

25-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VKR

To

- 1.The Principal District Sessions Judge,
Thiruvallur.
- 2.The Inspector of Police,
R.K.Pet Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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