



Crl.O.P.No.1182 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

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

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1. Steebhan Raj @ Sribanraj
2. Nallathambi
3. Sagaya Surjith @ Sahaya Sujith
4. Balaji
5. Jagandh Nivasan

... Petitioners

Vs.

1. The State represented by
The Inspector Police,
Thazhambur Police station,
Pallikaranai,
Chennai.
(Crime.No.317 of 2025)

2. Gibson Bruno

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in connection with C.C.No.375 of 2025 dated 16.10.2025 on the file of learned District Munsif-cum-Judicial Magistrate, Thiruporur and quash the same on the ground of compromise.



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For Petitioners : Mr.P.Syed Amir Kasim
For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor
For R2 : Mr.S.Sabarish

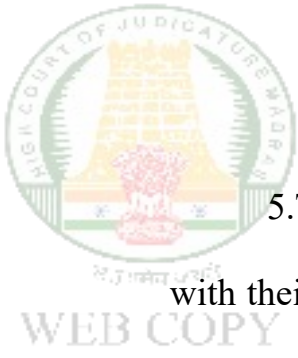
ORDER

This Criminal Original Petition has been filed seeking to call for the records in connection with C.C.No.375 of 2025 dated 16.10.2025 on the file of learned District Munsif-cum-Judicial Magistrate, Thiruporur and to quash the same on the ground of compromise.

2. Learned counsel appearing for the petitioners would submit that the petitioners and the de facto complainant are hostel mates and some misunderstanding between them has resulted in the above case.

3.Heard the learned counsel appearing for the petitioners, the learned Additional Public Prosecutor for the first respondent and the learned counsel appearing for the second respondent.

4.Based on the complaint given by the de facto complainant/R2, a case in Crime No.317 of 2025, was registered for the offences under Sections 296(b), 127, 115(2), 308(3) and 351(2) of Bharatiya Nyaya Sanhita, 2023.



5.The petitioners who are students are present before this Court along with their parents and they assured that they will take care of their wards to behave properly and they do not indulge in such kind of activities. The de-facto complainant/R2 also appeared before this Court and all were identified by their respective counsel as well as by Mr.S.M.Paul Jose, Spl. Sub Inspector of Police, Thazhambur Police station, Pallikaranai, Chennai.

6.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.

7.The learned Additional Public Prosecutor 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 offences, has to consider the issue as to whether offences 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



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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, 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.

9.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.

10.In view of the above, this Court is inclined to quash the impugned proceedings in C.C.No.375 of 2025 dated 16.10.2025 on the file of District Munsif-cum-Judicial Magistrate Court, Thiruporur, in exercise of its jurisdiction under Section 482 of Cr.P.C.



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11. Accordingly, the C.C.No.375 of 2025 dated 16.10.2025 on the file of District Munsif-cum-Judicial Magistrate Court, Thiruporur, is quashed as against the petitioners and this Criminal Original Petition is allowed. The affidavit and the Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

03.02.2026

dsn

Internet: Yes

To

1. The Learned District Munsif-cum-Judicial Magistrate,
Thiruporur.
2. The Inspector Police,
Thazhambur Police station,
Pallikaranai,
Chennai.
3. The Additional Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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