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Crl.O.P.No.1458 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM:

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

Crl.O.P.No.1458 of 2026
and Crl.MP.No.896 of 2026

A.K.Guhan

(incorrectly mentioned as GUKAN in the
Final Report in STC 1298/2025)

... Petitioner

Vs.

1. State of Tamil Nadu
Rep. by the Sub Inspector of Police,
Erode North Police Station,
Erode.

2. K.V.Ravishankar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the entire records in S.T.C.No.1298 of 2025, on the file of the Judicial Magistrate Court No.1, Erode and quash the same

For Petitioner : Mr.R.Palaniandavan

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

For R2 : Ms.Anjana Aravindan



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ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to S.T.C.No.1298 of 2025, on the file of the Judicial Magistrate Court No.1, Erode and to quash the same.

2.Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.Based on the complaint given by the de facto complainant/R2, a case in Crime No.551 of 2024, was registered for the offences under Sections 296(b), 329(4) and 351(2) of BNS.

4.The petitioner has stated that he has settled the dispute with the de facto complainant amicably and hence, seeks to quash the case in S.T.C.No.1298 of 2025, on the file of the Judicial Magistrate Court No.1, Erode. They have also filed an affidavit and a Joint Memo of Compromise to that effect.

5.The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by



Mr.S.Karthikeyan, Grade I 904, Erode North Station, Erode.

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6.On being enquired by this Court, the de facto complainant stated that he has amicably settled the dispute with the petitioner 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 petitioner. 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, to quash non-compoundable offences. One very important test that has been laid down is that the Court



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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 petitioner 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 S.T.C.No.1298 of 2025, on the file of the Judicial Magistrate Court No.1, Erode, in exercise of its jurisdiction under Section 482 of Cr.P.C.

11.Accordingly, the case in S.T.C.No.1298 of 2025, pending on the file of the Judicial Magistrate Court No.1, Erode is quashed as against the petitioner and this Criminal Original Petition is allowed on condition that the petitioner pays a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High



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Court Campus, Chennai 600 104, within a period of one (1) week from the date of receipt of a copy of this order. The affidavit and the Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records. Consequently, connected Crl.MP No.896 of 2026 is closed.

03.02.2026

dsn

Neutral Citation: Yes/No

To

1. The Learned Judicial Magistrate No.1, Erode.
2. The Sub Inspector of Police,
Erode North Police Station,
Erode.
3. The Additional Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

dsn

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