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CRL OP No. 1505 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

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

CRL OP No. 1505 of 2026
and CRL MP Nos. 937 and 940 of 2026

Selvasundhar@Selvasundar,
S/o.Raja,
No. 43/4, South Street,
Vilagam,
Koil Esanai (West),
Ariyalur 621 851.

..Petitioner(s)

Vs

1. The Sub Inspector of Police,
Venganur Police Station,
Ariyalur District.

2. Muthulakshmi,
W/o.Late. Selvam,
Vilagam,
Koil Esanai (West),
Ariyalur- 621 851.

..Respondent(s)

PRAYER: Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to quash the case in C.C.No. 692/2025 pending on the file of the Additional Mahila Court (Judicial Magistrate) at Ariyalur.

For Petitioner(s): Mr.T.Arunkumar

For Respondent(s): Mr.K.M.D. Muhilan
Additional Public Prosecutor
for R1
Mr.C.Ruban D Silva
for R2



Order

This Criminal Original Petition has been filed seeking to quash the proceedings against the petitioner in C.C.No.692 of 2025 pending on the file of the learned Additional Mahila Judge (Judicial Magistrate), Ariyalur, for the offences punishable under Sections 294(b), 115(2) and 351(2) of BNS, 2023 read with 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the grandson of the *de facto* complainant and there was a domestic quarrel between the parents of the petitioner and the *de facto* complainant, resulting in the *de facto* complainant lodging a complaint against all the family members. Later, coming to know that the petitioner was not involved in the occurrence the *de facto* complainant agreed to withdraw the complaint made against the petitioner, since the parties have compromised the matter.

3.The learned counsel appearing for the *de facto* complainant would submit that the petitioner is the grandson of the *de facto* complainant and on coming to know that the petitioner was not involved in the occurrence the *de facto* complainant has withdrawn the complaint. Further, he does not want to further proceed with the case.



4.The petitioner and the *de facto* complainant were present before this Court at the time of hearing and they were identified by their respective counsel and by Mr.Kumaresan, SSI, Venganur Police Station, Ariyarlur 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 respondent-Police 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.

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 Petitioner. The Hon'ble Supreme Court, in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat***, 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 they get settled between the parties, cannot be quashed by this Court.

8.In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the Petitioner 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 in continuing with the criminal proceedings.

9.In view of the above, this Court is inclined to quash the proceedings against the petitioner in C.C.No. 692/2025 pending on the file of the learned Additional Mahila Judge (Judicial Magistrate) at Ariyalur.

10.Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.692 of 2025 pending on the file of the learned Additional Mahila Judge (Judicial Magistrate) at Ariyalur, is quashed, as against the petitioner. Consequently, connected miscellaneous petitions are closed.

06-02-2026

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

MPS



To

1. The Additional Mahila Court (Judicial Magistrate),
Ariyalur.
2. The Sub Inspector of Police
Venganur Police Station,
Ariyalur District.
3. The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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