



WEB COPY

CRL OP No. 1603 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

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

CRL.O.P. No. 1603 of 2026

and

CRL.M.P.No.1018 of 2026

1. D.Arun.
S/o.Dhandapani,
No. 1006, 10th Floor,
E2 Tower, Ekanta Apartment North Town,
Kannigapuram,
Perambur,
Chennai.
2. Kalaiyarasan,
S/o.Narayanan,
No. 30A/10, First Street,
Vinayagapuram,
Tondiarpet,
Chennai.
3. Thameem Ansari,
S/o.Ajmal Khan,
No. 1212, 17th Central Cross Street,
MKB Nagar,
Vyasarpadi,
Chennai.

..Petitioner(s)

Vs

1. State represented by Inspector of Police
Kilpauk Police Station,
Chennai.
Crime No. 290/2025.



2. K.Sathish Kumar
S/o.Krishnan,
No. 33/46, Kasima Nagar,
Second Street,
Royapuram,
Chennai.

..Respondent(s)

PRAYER: Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records and quash the complaint in Crime No. 290/2025 pending on the file of the 1st respondent police.

For Petitioner(s) : Mr.S.Shankar

For Respondent(s): Mr.K.M.D. Muhilan,
Additional Public Prosecutor
for R1

Mr.Saravana Kumar for R2

Order

This Criminal Original Petition has been filed seeking to quash the proceedings against the petitioners in Crime No. 290/2025 pending on the file of the 1st respondent police for the offences punishable under Sections 296(b), 115(ii) and 303(ii) of BNSS.

2.The learned counsel appearing for the petitioners would submit that the petitioners are the employees of the Bar and there was a quarrel between the *de facto* complainant and the petitioners resulting in the complaint. He would



submit that the *de facto* complainant has, in fact, lost the chain in the quarrel, whereas he gave a complaint as if the chain was lost. Based on that, the case has been registered and subsequently, on the next day the chain was found and it was handed over to the *de facto* complainant. He would submit that now, the parties have decided to compromise the matter.

3.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.S.Karunakaran, SI, G3, Kilpauk Police Station, Chennai District.

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

5.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.

6.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***,

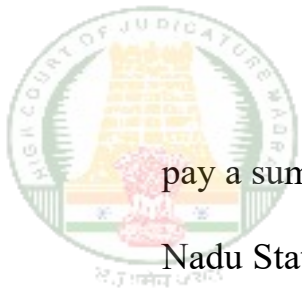


reported in **(2017) 9 SCC 641**, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C./528 BNSS, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily 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.

7. 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.

8. In view of the above, this Court is inclined to quash the proceedings against the petitioners in Crime No. 290/2025 pending on the file of the 1st respondent police.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in Crime No. 290/2025 pending on the file of the 1st respondent police, is quashed, as against the petitioners on condition that the petitioners



pay a sum of Rs.5,000/- (Rupees Five Thousand only) each as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed. No costs.

13-02-2026

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

MPS

To

1. The Inspector of Police,
Kilpauk Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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A.D.JAGADISH CHANDIRA J.

MPS

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