



WEB COPY

CRL OP No. 1595 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

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

CRL OP No. 1595 of 2026

1. R.Selvaraj
S/o.Ramachandran
2. K.Senthamilselvan
S/o.Krishnamoorthy
3. Mohan @ Mohanraj
S/o.Ethiraj
4. Sathish @ Sathishkumar
S/o.Namadhevan

..Petitioner(s)

Vs

1. State by, Inspector of Police,
CBCID North Police Station,
Salem,
Salem district.
Cr.No.02 of 2025.
2. T.Rasu
S/o.Thanavel

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 BNSS, 2023, to call for the records in Crime No.02 of 2025, on the file of the Inspector of Police, CBCID North Salem, Salem District and quash the FIR pending against the petitioners.

For Petitioner(s):

Mr.N.Stalin



WEB COPY



For Respondent(s):

Mr.S.Santhosh
Government Advocate (Crl. Side) - R1

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report filed in Crime No.02 of 2025 on the file of the Inspector of Police, CBCID North Salem, Salem District pending against the petitioners, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

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

3.Based on the complaint given by the *de facto* complainant/R2, the aforesaid case in Crime No.02 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 465, 468, 471, 420 and 120 B IPC.

4.Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that the dispute arises out of business and that on the advice of elders, well wishers and friends, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioners. Affidavits and a Joint Compromise Memo to that effect have also been filed.



5.The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.N.K.Rajendran, SSI, CBCID, Salem, Phone No.8300051727.

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.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 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 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.

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. In view of the above, this Court is inclined to quash the proceedings pending against the petitioners in F.I.R.No.02 of 2025 on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands disposed of and the proceedings in F.I.R.No.02 of 2025 pending on the file of the first respondent police, is quashed as against the petitioners, on condition that the petitioners shall pay jointly a sum of Rs.20,000/- (Rupees Twenty Thousand only) 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.



11. 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.

27-01-2026

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

kas

To

1. The Inspector of Police,
CBCID North Police Station,
Salem,
Salem district.
Cr.No.02 of 2025
2. The Public Prosecutor
High Court of Madras
Chennai 600 104



WEB COPY

CRL OP No. 1595 of 2



A.D.JAGADISH CHANDIRA, J.

kas

CRL.O.P.No.1595 of 2026

27.01.2026