



CrI.O.P.No.1119 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM:

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

CrI.O.P.No.1119 of 2026

1. S.Charles
2. S.Kashuri
3. R.Aswini
4. G.Jospin
5. G.Sonalee

...Petitioners

Vs.

1. State rep. by,
The Inspector of Police,
Vyasarpadi Police Station,
Chennai.
Crime No.163 of 2025.
2. Geetha

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to quash the FIR in Crime No.163 of 2025 on the file of the Inspector of Police, P-3, Vyasarpadi Police Station, Chennai, registered against the petitioners for the alleged offences under Sections 126(2), 296(b), 115(2), 118(1), 109 and 351(3) of BNS and Section 4 of the TNPHW Act, in view of the amicable settlement between the parties.



Crl.O.P.No.1119 of 2026

For Petitioners : Mr.E.Balamurugan

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1
: Ms.E.Nithyashree, for R2

ORDER

The present criminal original petition has been filed seeking to quash the First Information Report in Crime No.163 of 2025, pending against the petitioners, on the file of the first respondent Police, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/ 2nd respondent.

2. Heard learned counsel on either side and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.163 of 2025 was registered on the file of the first respondent-Police against the petitioners for the offences under Sections 126(2), 296(b), 115(2), 118(2) (referred to as Section 118(1) in the prayer and affidavit portion), 109 and 351(3) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act (referred to as Tamil Nadu Public Property (Prevention of Damage and Loss) Act in the affidavit).



4. Learned counsel appearing for the petitioners as well as the 2nd

respondent submitted that the parties have now amicably settled the issue among themselves. Hence, they seek to quash the First Information Report as against the petitioners. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by the learned counsel on either side as well as by Mr.R.Elumalai, SSI, P3, Vyasarpadi Police Station, Chennai.

6. On being enquired by this Court, the *de facto* complainant/R2 stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

7. Learned Government Advocate (Crl. Side) appearing on behalf of the first respondent submitted that though the parties have entered into a compromise, 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.



Cr.L.O.P.No.1119 of 2026

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10. In view of the above, this Court is inclined to quash the First Information Report in Crime No.163 of 2025 pending on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this criminal original petition stands disposed of and the First Information Report in Crime No.163 of 2025 pending on the file of the first respondent police as against the petitioners is quashed, on condition that the petitioners shall pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) in total, 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.

12. 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.

22.01.2026

skt

Neutral Citation: Yes/No

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Crl.O.P.No.1119 of 2026

A.D.JAGADISH CHANDIRA, J.

skt

To

1. The Inspector of Police,
Vyasarpadi Police Station,
Chennai.
2. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1119 of 2026

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