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CRL OP No. 2096 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. 2096 of 2026

1. Stanly Abinash,
S/o. Arockiasamy,
Residing at Door 8011,
Thiru Nagar, Kalaiyar Kovil,
Somanthamangalam,
Sivagangai-630 551.
2. Rithesh Kumaran,
S/o. Ponnusamy,
Residing at Door No.1051-4,
Behind TTP, Dippo Society,
MSP Complex,
Oddanchatram Post,
Dindigul-624 619.
3. Asokan. T,
S/o. Thirupathi,
Residing at D.No.260/1,
East Pathanavadi,
Tirupattur, VTC,
Kandili Post,
East Badanvadi,
Vellore-635 901.
4. Soundar Pandiyan,
S/o. Thamilarasan,
Residing at Door.3/6a,
Nallichettipalayam,
Karegoundenpalayam,
Coimbatore,
Tamil Nadu-641 697.

..Petitioner(s)



Vs

1. The State of Tamil Nadu rep by
The Inspector of Police
E-3, Saravanampatti Police Station,
Coimbatore, Tamil Nadu,
Crime No.664 of 2025.

2. Ajay Kumar,
S/o. Senthil,
Residing at D.No.1/24,
Vathapillayar Koil Street,
Kottai Palayam,
Kovilpalayam,
Coimbatore.

..Respondent(s)

PRAYER: Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records pertaining to the impugned FIR in Crime No.664 of 2025 for the offences under Sections 296(b), 115(2), 118(1), 351(3), BNS, 2023 dated 29.11.2025 and quash the same as illegal.

For Petitioner(s): Mr.N.Thamizhanban

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

Mr.J.Daniel Pathiyanathan
for R2

Order

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.664 of 2025 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 dated



29.11.2025, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

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

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.664 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023.

4. Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that on the advice of elders, 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 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 their respective counsel as well as by Mr.C. Raja Vinayagam, Head Constable, E-3, Saravanampatti Police Station, Coimbatore 35.



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 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 offence, 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.

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9. In the present cases, 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 First Information Report in Crime No.664 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.

10. Accordingly, this Criminal Original Petition is allowed and the First Information Report in Crime No. 664 of 2025 pending on the file of the first respondent police is quashed as against the petitioners.

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.

06-02-2026

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



To

1. The Inspector of Police,
E-3, Saravanampatti Police Station,
Coimbatore, Tamil Nadu.
2. The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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