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Crl.O.P.No.2113 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM:

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

Crl.O.P.No.2113 of 2026
and
Crl.M.P.Nos.1410 & 1412 of 2026

J.Sakthivel

...Petitioner

Vs.

1.State Rep. by
Inspector of Police
S-7, Madipakkam Police Station,
St.Thomas Mount District,
Chennai.
Crime No. 70/2020.

2.S.Sujitha
3.S.Sudhakar

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to quash the proceedings in
S.C.No.128 of 2021 pending on the file of the Learned Sessions Judge, Sub-
Court, Alandur, Chennai.

For Petitioner : Mr.G.Hariharan

For R1 : Mr.S.Santhosh
Government Advocate (Crl.Side)

For R2 & R3 : Mr.D.Srinivasan



ORDER

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The present Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.128 of 2021, on the file of the Sessions Judge, Sub-Court, Alandur, Chennai, on the basis of the compromise arrived at between the petitioner and the 2nd and 3rd respondents.

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.70 of 2020 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 294(b), 307 (2 counts), 341 and 506(ii) of IPC. After completion of investigation, a charge sheet was filed and the same was taken cognizance of, as aforesaid.

4. Learned counsel appearing for the petitioner as well as for the *de facto* complainants submitted that the matter arises out of a matrimonial dispute between the petitioner and *de facto* complainant, who are respondents 2 and 3. It was further submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence,



they seek to quash the proceedings pending against the petitioner. Affidavits and a Joint Compromise Memo to that effect have also been filed.

5. The petitioner, the *de facto* complainants/ 2nd & 3rd respondents appeared before this Court and they were identified by their respective counsel as well as by Ms.J.Mary Victoria Cecily, WSSI-62843, S-7, Madipakkam Police Station, St.Thomas Mount District, Chennai.

6. On being enquired by this Court, the *de facto* complainants stated that they have amicably settled the dispute with the petitioner and they are 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 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 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



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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 petitioner in S.C.No.128 of 2021 on the file of the Sessions Judge, Sub-Court, Alandur, Chennai., in exercise of its jurisdiction under Section 482 Cr.P.C./Section 4/6



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10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C.No.128 of 2021 is quashed as against the petitioner. Consequently, the connected Criminal Miscellaneous Petitions are closed.

11. The affidavits and the Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

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Neutral Citation: Yes/No

To

1.The Sessions Judge, Sub-Court, Alandur, Chennai.

2.The Inspector of Police
S-7, Madipakkam Police Station,
St.Thomas Mount District,
Chennai.

3.The Public Prosecutor,
High Court of Madras, Chennai.

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A.D.JAGADISH CHANDIRA, J.

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