



Crl.O.P.No.3544 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM:

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

Crl.O.P.No.3544 of 2026

Kumar

... Petitioner

Vs.

1. State Represented by,
The Inspector of Police,
Saibaba Colony Police Station,
Coimbatore City.
(Crime No.211 of 2024)

2. Nagarajan

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records of the FIR in Crime No.211 of 2024 dated 25.09.2024 pending on the file of the 1st respondent and to quash the same.

For Petitioner : Mr. A. Ramaswamy

For Respondents : Mr.K.M.D.Muhilan,
Additional Public Prosecutor for R1
Mr. K. Balasubramaniam for R2

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime Nos.211 of 2024, pending

1/6



against the petitioner, on the file of the first respondent Police, on the basis of the compromise arrived at between the petitioner 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. 211 of 2024 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 329(4) and 303(2) of BNS.

4. Learned counsel appearing for the petitioner would submit that it is a case of case and counter. The matter arises out of a civil dispute between the parties. On the intervention of elders and relatives, the parties have now compromised the dispute and amicably settled the issue among themselves. Hence, they seek to quash the First Information Report as against the petitioner. Affidavit and Joint Memo of Compromise to that effect have also been filed.



WEB COPY

5. The petitioner and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by Mr.A.Sajeesh, C3 Saibaba Colony Police Station, Coimbatore.

6. On being enquired by this Court, the *de facto* complainant stated that he has amicably settled the dispute with the petitioner 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 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 petitioner. 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



Crl.O.P.No.3544 of 2026

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 petitioner 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.211 of 2024 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 stands disposed of and the First Information Report in Crime No.211 of 2024 pending on the file of the first respondent police is quashed as against the petitioner, on
4/6



Crl.O.P.No.3544 of 2026

condition that the petitioner pays a sum of Rs.5,000/- (Rupees Five 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 affidavit and the Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

19.02.2026

Index: Yes/No

Neutral Citation: Yes/No

AT

To

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



WEB COPY



Crl.O.P.No.3544 of 2026

A.D.JAGADISH CHANDIRA, J.

AT

Crl.O.P.No.3544 of 2026

19.02.2026