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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

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

Crl. O.P. Nos.2907 and 2909 of 2026

Crl. O.P. No.2907 of 2026

1.Kailash Mariappan
2.Dr.Poonguzhali Kailash

..Petitioners

Vs

1.The State represented by
The Inspector of Police,
R6 Kumaran Nagar Police Station,
3rd Street, Ragavan Colony,
Mettupalayam, Ashok Nagar,
Chennai-83.

2.Kanimozhi

...Respondents

Crl. O.P. No.2909 of 2026

Kanimozhi

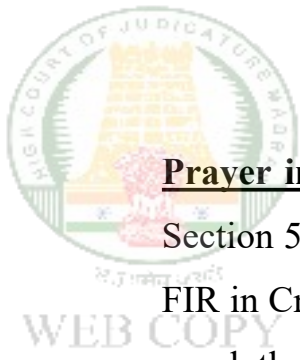
...Petitioner

Vs

1.The State represented by
The Inspector of Police,
R6 Kumaran Nagar Police Station,
3rd Street, Ragavan Colony,
Mettupalayam, Ashok Nagar,
Chennai-83.

2. Dr.Poonguzhali

...Respondents



Prayer in Crl.O.P.No.2907 of 2026: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita to call for the records of the FIR in Crime No.125/2024 pending on the file of the first respondent police and quash the same.

Prayer in Crl.O.P.No.2909 of 2026: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita to call for the records of the FIR in Crime No.126/2024 pending on the file of the first respondent police and quash the same.

In both Crl.Ops.

For Kailash Mariappan
and Dr.Poonguzhali Kailash

: Mr.J.Paulraj

For Kanimozhi

:Mr.G.Meganathan

For the Inspector of Police

: Mr.S.Santhosh,
Government Advocate (Criminal Side)

ORDER

The present Criminal Original Petitions have been filed seeking to quash the First Information Reports in Crime Nos.125 and 126 of 2024, 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/second respondent in each of the cases.

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



3. Based on the complaint given by the *de facto* complainants/R2, cases in Crime Nos.125 and 126 of 2024 were registered on the file of the first respondent Police against the petitioners, for the offences under Sections 427, 294(b), 323, 447, 341 and 506 (I) of IPC respectively.

4. Learned counsel appearing for the petitioners as well as for the *de facto* complainants 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 Reports 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 in each of the cases appeared before this Court and they were identified by their respective counsel as well as by Mr.V.Sadasivam, SI, R-6, Kumaran Nagar Police Station, Chennai.

6. On being enquired by this Court, the *de facto* complainants stated that they have amicably settled the dispute with the petitioners and they are not willing to pursue the criminal proceedings and therefore, seek 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 these cases are 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 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 these cases 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 Reports in Crime Nos.125 and 126 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, these Criminal Original Petitions stand disposed of and the First Information Reports in Crime Nos.125 and 126 of 2024 pending on the file of the first respondent police are quashed as against the petitioners, on condition that the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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 in each of the cases for compromising the offences shall form part of the records.

10-02-2026

Neutral Citation: Yes/No
MRN



To

1. The Inspector of Police
R6 Kumaran Nagar Police Station,
3rd Street, Ragavan Colony,
Mettupalayam, Ashok Nagar,
Chennai-83.

2. The Public Prosecutor,
High Court of Madras.



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Crl. O.P. Nos.2907 and 2909 of 2



A.D.JAGADISH CHANDIRA, J.

MRN

Crl. O.P. No. 2907 and 2909 of 2026

10-02-2026