



Crl.O.P.No.2542 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2026

CORAM:

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

Crl.O.P.No.2542 of 2026

1. M.Saraswathi

2. R.Suguna

3. M.Mahendran

4. M.Murali

... Petitioners

Vs.

1.The State represented by
The Inspector Police,
Kadambathur Police Station,
Thiruvallur Taluk and District.

2.K. Chithambaranathan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for all the records and quash all the proceedings in Cr.No.253 of 2021 now pending investigation on the file of the 1st Respondent.

For Petitioners : Mr.S.C.Pratheep Ashok Kumar

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

For R2 : Ms.A.Ajitha



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ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to Crime No.253 of 2021, on the file of the first respondent and to quash the same.

2. Learned counsel appearing for the petitioners would submit that there was some misunderstanding between the petitioners and second respondent's family and due to miscommunication, the aforesaid case was registered. He would further submit that subsequently, settlement was arrived at between the parties, pursuant to which, the third petitioner executed Sale Deeds bearing Document Nos.82/2025 and 83/2025 dated 07.01.2025, registered at the Sub-Registrar Office, Manavalanagar, Thiruvallur District, in favour of the brothers of the second respondent.

3.Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Criminal Side) appearing for the first respondent and the learned counsel appearing for the second respondent.

4.Based on the complaint given by the de facto complainant/R2, the aforesaid case in Crime No.253 of 2021, was registered for the offences under Sections 420, 465 and 468 of Indian Penal Code.



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5.The petitioners have stated that they have settled the dispute with the de facto complainant amicably and hence, seek to quash the First Information Report. They have also filed an affidavit and a Joint Memo of Compromise to that effect.

6.The petitioners and the de facto complainant/R2 appeared before this Court and were identified by their respective counsels.

7.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.

8.The learned Government Advocate (Crl.Side) 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.



9.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, 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.

10.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.



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11. In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.253 of 2021 pending on the file of the first respondent in exercise of its jurisdiction under Section 482 of Cr.P.C.

12. Accordingly, the First Information Report in Crime No.253 of 2021 pending on the file of the first respondent is quashed as against the petitioners and this Criminal Original Petition is allowed on condition that the petitioners jointly pay 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 one (1) week from the date of receipt of a copy of this order. The affidavit and the Joint Memo of Compromise filed by the petitioners and the second respondent dated 04.02.2026 for compromising the offences shall form part of the records.

04.02.2026

dsn

Internet:Yes

A.D.JAGADISH CHANDIRA, J.



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dsn

To

1. The Inspector Police,
Kadambathur Police Station,
Thiruvallur Taluk and District.
2. The Public Prosecutor,
High Court of Madras.

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04.02.2026