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CrI.O.P.No.3605 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM:

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

CrI.O.P.No.3605 of 2026

A.Nithin Kumar

... Petitioner

Vs.

1.The State represented by
The Inspector Police,
CCD-1, Cyber Crime Police station,
Chennai-South.

2. R.Varshini

... 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 in Crime No.08 of 2025, dated 25.02.2025 on the file of the 1st respondent police and quash the same.

For Petitioner	: Mr.S.A.Sayed Shuhaibb
For R1	: Mr.S.Vinoth Kumar Government Advocate (CrI.Side)
For R2	: Mr.R.Lakshmi Ratan

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to Crime No.08 of 2025, on the file of the first respondent and to quash the same.



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2. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.8 of 2025, was registered for the offences under Sections 79 of Bharatiya Nyaya Sanhita, 2023, 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, 66C and 66D of the Information Technology (Amendment) Act, 2008.

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

4. Learned counsel appearing for the petitioner would submit that due to the intervention of well-wishers and elders, the parties have arrived at compromise. He would further submit that during the course of investigation, the respondent police had seized two mobile phones and a laptop belonging to the petitioner and a direction may be issued to the respondent police to return the same to the petitioner.

5. The petitioner stated that he has settled the dispute with the *de facto* complainant amicably and hence, seeks to quash the First Information Report. They have also filed an affidavit and a Joint Memo of Compromise to that

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effect.

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6.The petitioner and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.R.Rameshkumar, HC 26275, Cyber Crime Police Station, South Zone, S2-Airport Police Station, Meenambakkam, Chennai-600 027.

7.On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioner and she 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. He would further submit that the seized properties from the petitioner have been deposited before the XIth Metropolitan Magistrate, Saidapet.

9. Learned counsel appearing for the second respondent/*de facto* complainant would submit that *de facto* complainant has no objection in the



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seized articles being returned to the petitioner.

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10. The petitioner is at liberty to file an appropriate petition before the learned Magistrate, who shall consider the same and pass orders in accordance with law, within a period of one week from the date of receipt of a copy of this order.

11. Be that as it may, 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 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.



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12.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.

13.In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.8 of 2025 pending on the file of the first respondent police in exercise of its jurisdiction under Section 482 of Cr.P.C.

14.Accordingly, the First Information Report in Crime No.8 of 2025 pending on the file of the first respondent police is quashed as against the petitioners and this Criminal Original Petition is allowed. The affidavit and the Joint Memo of Compromise filed by the petitioner and the second respondent dated 24.01.2026, for compromising the offences shall form part of the records.

16.02.2026

dsm

Neutral Citation: Yes/No



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A.D.JAGADISH CHANDIRA, J.

dsn

To

1. The Inspector Police,
CCD-1, Cyber Crime Police station,
Chennai-South.
2. The Public Prosecutor,
High Court of Madras.

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