



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 2526 of 2026

AND

CRL MP NO. 1697 OF 2026

1. Deva Arokiyam@ Deva
2. Micheal
3. Vijayakumar @ Viji

Petitioners

Vs

1. The State Rep By,
The Inspector of Police
B-6, Mappedu Police Station,
Thiruvallur District.
(Crime No.308 of 2022)

- 2.Prabhu

Respondents

PRAYER

This criminal original petition is preferred under section 528 of BNSS seeking to call for the records relating to the case in PRC.No.08 of 2025 pending on the file of the Learned Judicial Magistrate Court No.II, at Thiruvallur and quash the same and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners: Mr.Thiyagarajan B



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For Respondent(s): Mr.A.Amarnath, Counsel for
Government of Tamil Nadu
(criminal side) for R-1

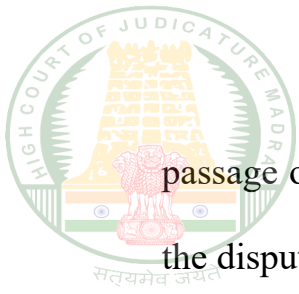
Mr.Prabhu (2nd respondent)

ORDER

The petitioners who are accused in PRC.No.08 of 2025 pending on the file of the Learned Judicial Magistrate Court No.II, at Thiruvallur for offence under Sections 341, 448, 385, 506(2), 307, 34 IPC and section 3(1) of the Prevention of Damage to Public Property Act, 1984 have filed this Criminal Original Petition seeking to quash the same.

2.Case of the prosecution is that the petitioners have demanded money from one Daejoo Automative India Pvt. Ltd., Thiruvallur and threatened the officials of the said company and since the company did not accept their demand, the petitioners have caused damage to the road leading to the company, thereby obstructed the vehicles from proceeding to the company and stopped the production of the company. The petitioners have also threatened the workers of the company. Therefore, the second respondent had lodged a complaint before the first respondent police and case came to be registered and after investigation, the charge sheet has been laid before the concerned court.

3.Now, the case is taken on file before the learned Principal District and Sessions Judge, Thiruvallur in S.C.No.245 of 2026 and the same is pending. By



passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

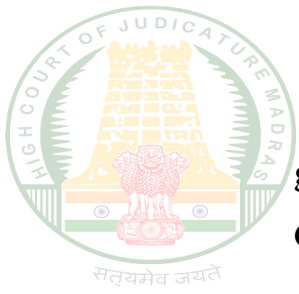
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4.Today the petitioners and the 2nd respondent appeared before this Court and their identity is confirmed by Mr.Kannan, SSI of of B6 Mappedu Police station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The petitioners and the 2nd respondent have filed separate affidavits before this Court and also filed the Joint Compromise Memo dated 30.03.2026. The relevant portions of the Joint Compromise Memo are paragraphs 11 to 14 and 17 and they are as follows:

‘11.It is humbly submitted that hence the 2nd respondent and the petitioner settled their issues amicably by entered in to compromise memo. Hence allowing the prosecution to continue the trail amounts to abuse of the process of the court and it would be a weapon of harassment for both the parties, it amounts to lame prosecution. Hence both the petitioners and 2nd respondent pray to Quash the PRC No.08 of 2025 pending on the file of the Learned Judicial Magistrate No.II, Thiruvallur.

12.It is humbly submitted that the crime in question is purely individual in nature and not against the society with overriding public interest.

13.It is humbly submitted that according to the guidelines



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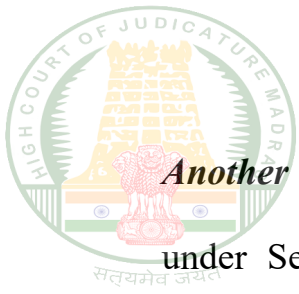
given in *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*, reported in 2017 9 SCC 641 and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in (2019) 2 MLJ CrI 10, this crime in question fall in the parameters of the said guidelines. Hence can be quashed.

14.It is humbly submitted that now both the petitioners and 2nd respondent have forgotten their past bitter incidents. While being so, allowing the prosecution to continue the trial both the petitioner herein and the 2nd respondent will put into irreparable damages and hardship.

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17.It is humbly submitted that the 2nd Respondent herein has filed his affidavit separately' before this Hon'ble Court supporting the petition for Quash the said PRC No.08 of 2025 pending on the file of the Learned Judicial Magistrate No.II, Thiruvallur. The 2nd respondent has signed in the joint memo of compromise and his affidavit voluntarily and without any coercion or under influence.'

5.Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in *(2017) 9 SCC 641-(Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur Vs. State of Gujarat)*, and after exercising due caution as advised by the Hon'ble Supreme Court in *State of Madhya Pradesh v. Dhruv Gurjar and*

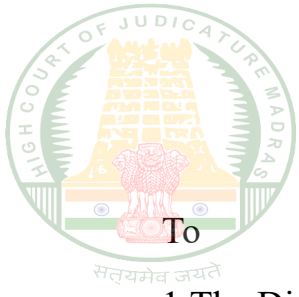


Another reported in **(2019) 5 SCC 570**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS is inclined to quash the proceedings in S.C.No.245 of 2026 on the file of the learned Princial District and Sessions Judge, Thriuvallur [PRC No.08 of 2025 on the file of the learned Judicial Magistrate Court No.II, Thiruvallur].

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No.08 of 2025 which was pending on the file of the learned Judicial Magistrate Court No.II, Thiruvallur [now the case is taken on file before the learned Principal District and Sessions Judge, Thiruvallur in S.C.No.245 of 2026] is quashed. No costs. Consequently, connected miscellaneous petition is closed.

12-06-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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To

1. The District and Sessions Judge,
Thiruvallur.

2. Judicial Magistrate-II,
Thiruvallur.

3. The Inspector of Police
B-6, Mappedu Police Station,
Thiruvallur.
Crime No.308 of 2022

4. The Government Advocate
(Criminal side)
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.

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