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CRL OP No. 2369 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 04-02-2026**

CORAM

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

**CRL OP No. 2369 of 2026**

Murali

..Petitioner(s)

Vs

1. The State Rep. by the Inspector of Police,  
All Women Police Station,  
Denkanikottai,  
Krishnagiri District.  
Crime No.34/2025

2. XXXX

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the records pertaining to the final report filed in Special S.C.No.117/2025 pending trial on the file of the learned Fast Track Mahila Court at Krishnagiri, quash the same .

For Petitioner(s):

Mr.A.Balamurugan

For Respondent(s):

Mr.S.Santhosh,  
Government Advocate (Crl.Side) for R1

Mr.L.Ramanathan for R2



## **ORDER**

This Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.117 of 2025 pending on the file of the learned Fast Track Mahila Court, Krishnagiri, on the basis of the compromise arrived at between the petitioner and the *de facto* complainant/second respondent.

2. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.34 of 2025 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 7 and 8 of the Protection of Children from Sexual Offences Act, and Section 115(2) of BNS. After completion of investigation, a charge sheet was filed and taken cognizance of, as aforesaid.

3. Learned counsel for the petitioner submitted that the petitioner and the *de facto* complainant are close relatives and that, owing to a misunderstanding among family members, the present case came to be registered. He further submitted that although the petitioner had pulled the hands of the *de facto* complainant, the said act was neither accompanied by any sexual intent nor motivated by any illicit purpose, but occurred in the course of a family dispute. He further contended that acting on erroneous legal advice, the *de facto* complainant had lodged an exaggerated complaint and subsequently,



upon realising that the petitioner harboured no mala fide intention, the de facto complainant agreed to compromise the matter. On the advice of elders, the parties have amicably resolved the dispute among themselves and thereofre, seek quashment of the proceedings pending against the petitioner. Affidavits and a Joint Compromise Memo to the said effect have also been filed before the is Court.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that initially, a case was registered for the offences punishable under Sections 7 and 8 of the Protection of Children from Sexual Offences Act, and Section 115(2) of BNS. After completion of investigation, the first respondent filed the final report for the offences punishable under Sections 11(1) and 12 of the Protection of Children from Sexual Offences Act and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. He also submitted that although the parties have entered into a compromise during the pendency of the case, this Court, having regard to the gravity and seriousness of the alleged offences, is required to examine whether offences of such nature can be quashed on the basis of a compromise between the parties.

5. The learned counsel for the second respondent / de facto complainant submitted that the petitioner and the de facto complainant are close relatives and that the complaint arose out of a family dispute. He further



submitted that pursuant to the intervention of elders, the parties have amicably settled the matter and resolved their differences.

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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.V.Neelamegam, SSI, All Women Police Station, Denkanikottai, Krishnagiri District.

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 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. (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 proceedings pending against the petitioner in S.C.No.117 of 2025 on the file of the Fast Track Mahila Court, Krishnagiri, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C.No.117 of 2025 pending on the file of the Fast Track Mahila Court, Krishnagiri, is quashed as against the petitioner.



11. The affidavits and the Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

**04-02-2026**

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

VKR

To

1.The Fast Track Mahila Judge, Krishnagiri.

2.The Inspector of Police,  
All Women Police Station,  
Denkanikottai,  
Krishnagiri District.

3.The Public Prosecutor,  
Madras High Court.

**A.D.JAGADISH CHANDIRA, J.**



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