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Crl.O.P.No.3060 of 2026

THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10.02.2026**

CORAM:

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

**Crl.O.P.No.3060 of 2026**

Noratan Dugar

... Petitioner

Vs.

1. The State of represented by,  
The Inspector of Police,  
W-12, Harbour All Women Police Station,  
Chennai. (Crime No.6 of 2025)

2. Banu

... 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 relating to P.R.C.No.347 of 2025 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai and quash the same.

For Petitioner : Mr.V.Karthick

For R1 : Mr.K.M.D.Muhilan  
Additional Public Prosecutor

For R2 : Mr.S.Raj

**ORDER**

The present Criminal Original Petition has been filed seeking to quash the proceedings in P.R.C.No.347 of 2025, pending committal on the file of the VII Metropolitan Magistrate Court, George Town, Chennai,  
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pending against the petitioner, on the basis of the compromise arrived at between the petitioner and the *de facto* complainant/second respondent.

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

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.6 of 2025 was registered on the file of the first respondent Police against the petitioner/accused, for the offences under Section 75(2) of the BNS and Section 4 of the TN Prohibition of Women Harassment Act. After completion of investigation, the final report was filed before the VII Metropolitan Magistrate Court, George Town, Chennai and the same is pending committal in P.R.C.No.347 of 2025.

4. Learned counsel appearing for the petitioner submitted that the petitioner is a senior citizen and the *de facto* complainant was employed in the petitioner's company and that due to misunderstanding and mistaking the petitioner, the *de facto* complainant has given such a complaint. Subsequently, on coming to know that the petitioner is a genuine person, the *de facto* complainant has agreed to withdraw the complaint. Hence, he seek to quash the aforesaid case as against the petitioner.

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5. Learned counsel appearing for the second respondent/*de facto* complainant submitted that due to misconstruing the facts, the *de facto* complainant has given a wrong complaint and later, coming to know that the petitioner is a genuine person, she agreed to compromise the matter. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

6. The petitioner and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective learned counsel as well as by Ms.K.Nandhini, WHC 38811, W-12 AWPS.

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. Learned Additional Public Prosecutor appearing on behalf of the first respondent police 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 the

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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 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.

10. 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



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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 against the petitioner in P.R.C.No.347 of 2025, pending committal on the file of the VII Metropolitan Magistrate Court, George Town, Chennai, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in P.R.C.No.347 of 2025, pending committal on the file of the VII Metropolitan Magistrate Court, George Town, Chennai, is quashed as against the petitioner.

12. 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.

**10.02.2026**

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Neutral Citation: Yes/No



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To  
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1. The VII Metropolitan Magistrate,  
George Town, Chennai.
2. The Inspector of Police,  
W-12, Harbour All Women Police Station,  
Chennai.
3. The Public Prosecutor,  
High Court of Madras.



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

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