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Crl.O.P. No.10960 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

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THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 10960 of 2026

1. Chokkammal
2. Supriya

..Petitioners

Vs.

1. The State,
rep. by the Sub Inspector of Police,
Thimiri Police Station,
Ranipet District.
(Crime No. 349 of 2024).

2. Nadarajan

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records and quash the proceedings in STC No. 717 of 2025 on the file of learned District Munsif cum Judicial Magistrate No.I, Walajapet, Ranipet District.

For Petitioners :: Mr.M. Balaji

For Respondents :: Mr.R. Rajasekaran
Counsel for Govt. of Tamil Nadu
(Crl.Side) for R1
Mr.J. Venkatesan for R2



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ORDER

The present criminal original petition is filed to call for the records and quash the proceedings in STC No. 717 of 2025 on the file of District Munsif cum Judicial Magistrate I, Walajapet, Ranipet District.

2. The 2nd respondent/de facto complainant and the petitioners are close relatives, in that, the 2nd respondent is the brother of the 1st petitioner and uncle of the 2nd petitioner and the cause for the complaint is dispute over family properties. Based on the complaint lodged, a case in Crime No. 349 of 2024 came to be registered by the 1st respondent Police for offences under Sections 296(b) and 115(2) of BNS. On completion of investigation, final report was filed listing 8 witnesses and the same was taken cognizance in STC No. 717 of 2025 by the District Munsif cum Judicial Magistrate No.I, Walajapet.

3. Learned counsel appearing for the petitioners as well as for the de facto complainant submitted that the matter arises out of property dispute between family members and that on the advice of elders and well-



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wishers, the parties have now amicably settled the issue among themselves.

Hence, they seek to quash the proceedings pending against the petitioners.

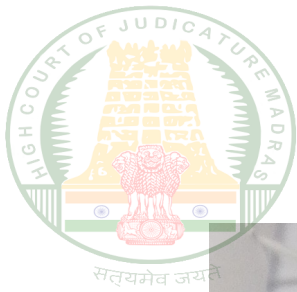
Affidavits and a Joint Compromise Memo have been filed.

4. Learned Government Counsel (Criminal Side) would submit that it is a matter of case and counter and the parties are closely related to each other.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.M. Sathanandam, HC 251, Thimiri Police Station, Ranipet District.

6. On interaction 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.

7. The Joint Memo of compromise dated 30.01.2026 filed by the parties is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS;
(Criminal Jurisdiction)

Crl.O.P. No. 10960 of 2026

1.Chokkammal,
W/o. Raghunath Krishnan
2.Supriya,
D/o. Raghunath Krishnan
Both residing at
No. 957/B, Sri Krishna Nilaya,
Rajaji Nagar, Bangalore.

... Petitioners / Accused (A1 & A2)

Versus

1.The State,
Rep. by the Sub-Inspector of Police,
Thimiri Police Station,
Ranipet District.
(Crime No. 349 of 2024)

... 1st Respondent

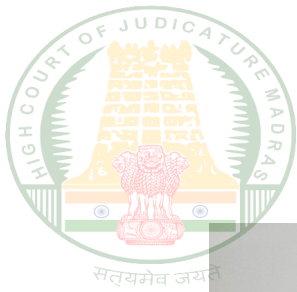
2.Nadarajan,
S/o. Kannappan,
Kannappa Farm House,
Varagur Village,
Arcot Taluk.

... 2nd Respondent / Defacto Complainant

JOINT MEMO OF COMPROMISE

1.It is respectfully submitted that the Petitioners / Accused and the 2nd Respondent / defacto complainant have **amicably settled the dispute** relating to Crime No. 349 of 2024 on the file of the Sub-Inspector of Police, Thimiri Police Station.

2.The parties submit that the dispute was purely **familial and civil in nature**, arising out of property issues, and that all differences have now been resolved with the intervention of elders.



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3.The 2nd Respondent has no objection for quashing the criminal proceedings, and the Petitioners undertake to maintain peace and cordial relations.

4.Hence, it is jointly prayed that this Hon'ble Court may be pleased to ~~quash the proceedings in~~ joint MEMO OF COMPROMISE in ~~STC No. 717 of~~ STC No. 717 of 2025, in the interest of justice.

Petitioners

Chokkammal

R.Chokkammal

Supriya

2nd Respondent

Natarajan

Dated at Chennai on this 30th day of Jan 2026

Counsel for Petitioners

Counsel for 2nd Respondent



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8. Learned Government Counsel (Criminal Side) appearing on

behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, 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. (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.



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10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the 2nd 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 petitioners in STC No. 717 of 2025 on the file of District Munsif cum Judicial Magistrate No.I, Walajapet, 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 STC No. 717 of 2025 pending on the file of District Munsif cum Judicial Magistrate No.I, Walajapet, is quashed as against the petitioners.

12. The affidavits and the Joint Memo of Compromise filed by the petitioners and the 2nd respondent for compromising the offences shall form part of the records.

05.06.2026

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M. NIRMAL KUMAR,J.

nv

To

1. The District Munsif cum Judicial
Magistrate No.I, Walajpet.
2. The Sub Inspector of Police,
Thimiri Police Station,
Ranipet District.
3. The Public Prosecutor, High Court,
Madras.

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