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Crl.O.P.No.2858 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.2858 of 2026

Panneerselvam

.... Petitioner

Vs

1.The State represented by
The Inspector of Police
T-9, Maraimalai Nagar Police Station,
Tambaram,
Chengalpattu.
Crime No.313 of 2023

2. Dr. Parasakthi

.... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S, to call for the records relating to FIR in Crime No.313 of 2023 on the file of Inspector of Police, Maraimalai Nagar Police Station, Tambaram, Chengalpattu District and to quash the same and accept the compromise memo to allow the above Criminal Original Petition.

For Petitioner : Mr.C.Prabakaran
for Mr.R.Parthiban

For R1 : Mr.S.Santhosh
Government Advocate (Crl.side)

For R2 : Mr.V.Srihari



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ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.313 of 2023, pending against the petitioner, on the file of the first respondent police, 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, the aforesaid case in Crime No. 313 of 2023 was registered on the file of the first respondent police against the petitioner, for the offences under Sections 384 and 506(1) of the BNS, 2023.

4. The learned counsel appearing for the petitioner submitted that the petitioner is a practising advocate. He further submitted that the petitioner happened to meet A1, Mahitha Anna Christy and the *de facto* complainant at Paranur Toll Gate. The petitioner was not aware that the said Mahitha Anna Christy threatened the *de facto* complainant and demanded money from her.



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Based on the threat allegedly wielded by the 1st accused, the de facto complainant handed over a sum of Rs.10,00,000/- to the 1st accused. However, since the petitioner was found along with the 1st accused at that time, the de facto complainant mistakenly included the petitioner's name in the complaint and thus, he has been arrayed as second accused in this case. He further submitted that the entire amount of Rs.10 lakhs had been recovered from A1 and no amount has been recovered from the petitioner. Subsequently, realising that the petitioner has no role in the alleged offence, the de facto complainant agreed to compromise the matter and has filed a joint compromise memo along with a supporting affidavit for quashing of the First Information Report in respect of the petitioner alone.

5. The petitioner is present before this Court. He submitted that he is a practising advocate at Chengalpattu and he had met the 1st accused and the de facto complainant at the Paranur Toll Gate. He further submitted that whatever transpired between the 1st accused and the de facto complainant was not within his knowledge and that he has been wrongly implicated in this case.

6. Mr.Srihari, learned counsel appearing for the de facto complainant submitted that the petitioner has been implicated by mistake and that the de facto complainant has no objection to the FIR being quashed in respect of the



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petitioner alone. The de facto complainant appeared before this Court and stated that the petitioner's name was included in the complaint by mistake.

7. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there is yet another victim in this case from whom A1 has demanded Rs.2.2 lakhs through one Advocate Saranraj. He further 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.

8. This Court called for the Case Diary file and perused the same. On perusal, it is seen that there is a statement given by one Uma Maheswari, wherein it is stated that a sum of Rs.2.2 lakhs was demanded from the said victim.

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



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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 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 First Information Report in Crime No.313 of 2023 pending on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands allowed. The First Information Report in Crime No.313 of 2023 pending on the file of the



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first respondent police is quashed as against the petitioner.

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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.

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Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

rpl

To

1.The Inspector of Police
T-9, Maraimalai Nagar Police Station,
Tambaram, Chengalpattu.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



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A.D.JAGADISH CHANDIRA . J,

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