



WEB COPY



Crl.O.P.No.2838 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2026

CORAM:

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

Crl.O.P.No.2838 of 2026

1. M.Tamilarasan
2. B.Sanjay
3. Murali Palani
4. G.Muthukrishnan
5. L.Ashok Kumar
6. Prasanth Munusamy ... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
D-1, Tirutani Nagar Police Station,
Tiruvallur District. (Crime No.601 of 2025)
2. G.Mohan Babu ... 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 and to quash the First Information Report in Crime No.601 of 2025, on the file of the first respondent Police.

For Petitioners : Mr.P.Prince Premkumar

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)
Assisted by Mr.M.S.Rajkumar

For R2 : Mr.T.Karikalan



ORDER

WEB COPY

The present Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.601 of 2025, on the file of the first respondent police, pending against the petitioners, on the basis of the compromise arrived at between the petitioners 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.601 of 2025 was registered on the file of the first respondent Police against the petitioners/accused, for the offences under Sections 191(2), 296(b), 115(2), 118(1) and 351(3) of the BNS, Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Section 3(1) of the TN Public Property (Prevention of Damage & Loss) Act, 1992, which is now sought to be quashed.

4. Learned counsel appearing for the petitioners as well as for the second respondent/*de facto* complainant submitted that on the advice of



elders, the parties have now amicably settled the issue among themselves

and that a Joint Memo of Compromise to that effect has also been filed.

Hence, they seek to quash the First Information Report as against the petitioners.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by Mr.S.G.Dhamodara Raju, SSI, D-1, Tirutani Nagar Police Station.

6. On being enquired 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. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though the parties have 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 an offence of this nature can be quashed on the ground of compromise between parties.



WEB COPY

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 offence 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 offence. 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 offence in question is purely individual/personal in nature. It involves dispute between the petitioners 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 all the further proceedings pending against the petitioners pertaining to Crime No.601 of 2025, registered by the first

4/6



Crl.O.P.No.2838 of 2026

respondent police, in exercise of its jurisdiction under Section 482

Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands disposed of and the case in Crime No.601 of 2025, pending on the file of the first respondent police, is quashed as against the petitioners, on condition that the petitioners shall pay a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** as costs to the Madras High Court Advocate Association, Chennai, within a period of two (2) weeks from the date of receipt of a copy of this order.

11. The Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offence shall form part of the records. Consequently, the connected miscellaneous petition is closed.

09.02.2026

ham

Neutral Citation: Yes/No

To

1. The Inspector of Police (Crime),
D-1, Tirutani Nagar Police Station,
Tiruvallur District.
2. The President,
The Madras High Court Advocate Association,
Chennai.
3. The Public Prosecutor, High Court of Madras.

5/6



WEB COPY



Crl.O.P.No.2838 of 2026

A.D.JAGADISH CHANDIRA, J.

ham

Crl.O.P.No.2838 of 2026

09.02.2026