



WEB COPY

CRL OP No. 3604 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 3604 of 2026

1.K.Ganesan

2.V.Arunkumar

3.K.Praveen

4.Vijay

5.Karthick

6.Suriya @ Yuvaraj

7.Santhosh @ L.Santhosh Kumar

8.S.Vinith

9.Mani @ Manikandan

..Petitioner(s)

Vs

1.The State Rep. by the Inspector of Police,
H-6 R.K.Nagar Police Station,
Washermanpet, Chennai - 600 081.
(Crime No.162 of 2021)
2.Balamurugan

..Respondent(s)

To call for the entire records in connection with the case, F.I.R in Crime No.162 of 2021 pending on the file of the 1st respondent/police and quash the same and pass such further or other orders as this honourable court may deem fit and proper in the circumstances of the case.



For Petitioner(s):

Mr.K.Naveen Aravindan

For Respondent(s):

Mr.R.Rajasekaran, G.A.(Crl. Side), for R1

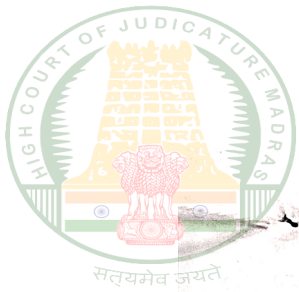
WEB COPY

ORDER

The petitioners, who are arrayed as accused in Crime No.162 of 2021 for the offence under Sections 147, 148, 294(b), 323, 506(2) IPC & 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, have filed this quash petition.

2.The case of the prosecution is that on 12.04.2021, at about 21.30 hours, the second respondent/de facto complainant while parking his vehicle in front of his residence, the petitioners allegedly created a commotion in the street. When the same was questioned by the de facto complainant, they abused him in filthy language and caused damage to his Auto and as well as other vehicles parked nearby. Hence, he lodged a complaint, pursuant to which, an FIR came to be registered against the petitioners.

3.The learned counsel for the petitioners submitted that the occurrence arose out of a misunderstanding between the parties, which was purely personal in nature. Subsequently, with the intervention of elders and well-wishers, the parties resolved their differences amicably. In view of the settlement, they have filed a Joint Compromise Memo, which was scanned and reproduced hereunder:



**MEMORANDUM OF CRIMINAL ORIGINAL PETITION
(Under Section 528 of BNSS.)**

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

Crl.O.P.No. 3604 of 2026

Against

Crime No. 162 of 2021

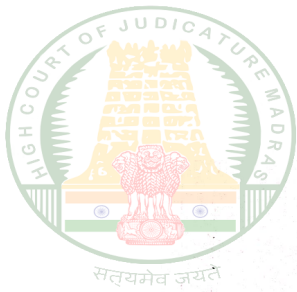
(On the file of the 1st Respondent-Police)

1. K. GANESAN (M/A 28 years),
S/O: Kumar,
New.NO 22 Old.NO 13. 7TH ST,
Vinoba Nagar, Tondiarpet,
Chennai-600081,
2. V. ARUNKUMAR (M/A 27 years),
S/O: Venkatesan,
NO: 2/3, N.S.K Street,
Nedunchezhiyan Nagar,
Tondiarpet, Chennai- 600081,
3. K. PRAVEEN (M/A 25 years),
S/O: Kaliyaperumal,
NO: 313, KORAIYARU MAIN ROAD,
Sithambur, Kudithangicheri,
District: Thiruvavur,
Tamil Nadu - 614102,
4. VIJAY (M/A 27 years),
S/O: Sambath,
No: 62/169, PARAMESWARAN NAGAR,
TONDIARPET Chennai, - 600081,
5. KARTHICK (M/A 28 years),
S/O: Kumar,
No: 57/47, STH ST GANDHI NAGAR,
TONDIARPET
Chennai - 600081,
6. SURIYA @ Yuvraj (M/A 23),
S/o Jayavel,
No 175 RAJABEKARAN NAGAR,
5th STREET Tondiarpet,
Chennai - 600081,

1. K. Ganesan
2. V. Arun Kumar
3. K. Praveen
4. Vijay
5. Karthick

6. Yuvraj
7. L. Sambath
8. K. Praveen
9. M. Suriya

2nd Respondent
[Signature]



WEB COPY



7. SANTHOSH @ L. SANTHOSH KUMAR (M/A 28 years)

S/O: Lakshmanan,
NO: 111, 1ST STREET,
RAJEEV GANDNI NAGAR,
Tondiarpet, Chennai - 600081,

8. S. VINITH (M/A 28 years),
S/O. Sekar,
No: 46/45, 6TH CROSS STREET,
DURGA DEVI NAGAR,
Tondiarpet. Chennai - 600081,

9. MANI @ MANIKANDAN (M/A 25 years)

S/O: Murugesan,
173/14, SASTHIRI NAGAR,
3RD STREET, TONDIARPET,
Chennai - 600081,

....Petitioners/Accused 2-10

-VS-

1. STATE REP. BY
THE INSPECTOR OF POLICE,
H-6 R.K NAGAR POLICE STATION,
WASHERMANPET CHENNAI - 600081,
(Crime No.162 of 2021)

...1st Respondent/Complainant

2. BALAMURUGAN (M/A 55 years)
S/O SIVA
NO:7/4, SASTHIRI NAGAR,
1ST STREET, TONDAIRPET,
CHENNAI-600081.

...2nd Respondent/De-facto Complainant

JOINT COMPROMISE MEMO

1. It is respectfully submitted that the above Criminal Original Petition has been filed by the petitioners/accused seeking to quash the FIR in Crime No.162 of 2021 on the file of the H-6 R.K NAGAR Police Station, Chennai District.

2. It is submitted that the dispute between the petitioners/accused and the 2nd respondent / de-facto complainant arose out of a misunderstanding and the same is purely personal in nature.

1. *[Signature]*
2. V. Arun Kumar
3. J. K. Praveen
4. Vijay
5. Karthick

6. *[Signature]*
7. J. Santhosh Kumar
8. *[Signature]*
9. Mani

2ND Respondent
[Signature]



14

4. It is submitted that the compromise has been arrived at voluntarily by both parties without any force, coercion or undue influence.

Dated at Chennai on this the 3rd day of February 2026.

2nd Respondent

1. Abhaya
2. V. Arun Kumar
3. K. Praveen
4. Vijay
5. Karthick
6. Yashwanth
7. L. Sushanth Kumar
8. Adarsh
9. Mani

1. relying

72 Jan. 21 M/S 14343

Counsel for Petitioners.



4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on complaint of the second respondent, an FIR came to be registered against the petitioners. He further submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offence, has to consider as to whether offences of this nature can be quashed on the ground of compromise between parties.

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

6.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

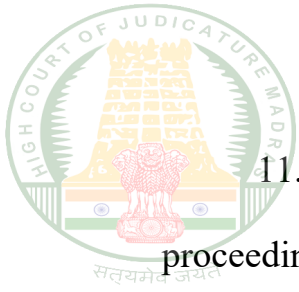
7.The petitioners and the second respondent/defacto complainant appeared before this Court and were duly identified by the counsel.

8.On interaction by this Court, the second respondent/defacto 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.



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 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 the proceedings pending against the petitioners in Crime No.162 of 2021.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.162 of 2021 pending on the file of the first respondent, is quashed.

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

25-06-2026

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

To

1. The Inspector of Police,
H-6 R.K.Nagar Police Station,
Washermanpet, Chennai - 600 081.
(Crime No.162 of 2021)

2. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 3604 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP No. 3604 of 2026

25-06-2026