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CrI.O.P.No.3797 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM:

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

CrI.O.P.No.3797 of 2026

1. Amargeeth
2. Amaravathy ... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
AWPS Virugambakkam Police Station,
Maduravoyal, Chennai.
(Crime No.21 of 2025)
2. A.Jayasuriya ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to compromise and compound the offence and quash the proceedings against the petitioners in Crime No.21 of 2025 on the file of the first respondent police.

For Petitioners : Mr.R.John Sathyan, Senior Advocate
Assisted by Mr.P.Divakar

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

For R2 : Ms.T.Kokila



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ORDER

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The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.21 of 2025, pending against the petitioners on the file of the first respondent Police, 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. 21 of 2025 was registered by the first respondent Police against the petitioners, for the offence under Section 69 of the BNS and Section 4 of the TN Prohibition of Harassment of Women Act, 2002, which is now sought to be quashed.

4. Learned Senior Counsel appearing for the petitioners submitted that the first petitioner and the second respondent/*de facto* complainant were classmates and had been in a consensual relationship. He further submitted that owing to certain misunderstandings that subsequently arose between them, the *de facto* complainant lodged the complaint against



the petitioners. He also submitted that upon the advice of elders, the parties have now amicably resolved their disputes. Therefore, he seeks to quash the First Information Report as against the petitioners.

5. Learned counsel appearing for the second respondent/de facto complainant submitted that the de facto complainant and the first petitioner are friends and the complaint came to be lodged due to a misunderstanding between them. She further submitted that pursuant to the intervention of elders, the dispute has now been amicably settled between the parties. She also submitted that the *de facto* complainant does not intend to pursue the criminal proceedings any further. In this regard, affidavits and a Joint Memo of Compromise have also been filed before this Court.

6. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by Ms.K.Priyanka, WPC 49218, W33, Virugambakkam AWPS.

7. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.



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8. 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 offences, 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 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.21 of 2025 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 and the First Information Report in Crime No.21 of 2025 pending on the file of the first respondent police is quashed as against the petitioners.

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

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Neutral Citation: Yes/No

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To

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1. The Inspector of Police,
AWPS Virugambakkam Police Station,
Maduravoyal,
Chennai.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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