



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

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

CRL OP No. 4765 of 2026

F.Aaskar

..Petitioner(s)

Vs

1. State rep by,
The Inspector of Police,
T7, Otteri Police Station,
Mannivakkam.

2. R.Thejasri

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the records relating to Crime No.0648 of 2025 pending on the file of the first respondent and quash the same.

For Petitioner(s): Mr.B.Ram Kumar

For Respondent(s): Mr.S.Santhosh,
Government Advocate (Crl.Side) for R1
Ms.Livitha for R2

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.648 of 2025 pending on the file of the first respondent, on the basis of the compromise arrived at between the petitioner and the victim/ third respondent.



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

3. Based on the complaint given by the second respondent/de facto complainant, the aforesaid case in Crime No.648 of 2025 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 69, 75(1)(i), 75(2), 79 and 351(2) of the BNS and Sections 66E and 67 of the Information Technology Act r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4. The submissions of the learned counsel appearing for the petitioner are as follows:-

4.1. Subsequent to the filing of the Joint Memo of Compromise dated 07.01.2026, the marriage between the petitioner and the de facto complainant was held on 19.01.2026 in a temple and they are taking steps to register their marriage.

4.2. In view of the settlement between the petitioner and the de facto complainant, no useful purpose would be served by permitting the impugned proceedings to continue. Hence, the impugned proceedings may be quashed on the ground of compromise. Affidavits and Joint Memo of Compromise to that effect have also been filed.



5. The petitioner and the second respondent/de facto complainant appeared before this Court and they were identified by their respective counsel and the learned Government Advocate (Crl.Side).

6. This Court also enquired both the parties and was satisfied that the petitioner and the victim girl have been living together as husband and wife with their child.

7. Learned Government Advocate (Crl.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.

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 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.

9. 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 pending against the petitioner in Crime No.648 of 2025 pending on the file of the first respondent, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands allowed and the First Information Report in Crime No.648 of 2025 pending on the file of the first respondent, is quashed as against the petitioner.



11. 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.

26-02-2026

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

VKR

To

1.The Inspector of Police,
T7, Otteri Police Station,
Mannivakkam.

2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

VKR

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