



Crl.O.P.No.3875 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2026

CORAM:

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

Crl.O.P.No.3875 of 2026

1.Sankar

2.Anandaraj

... Petitioners/Accused

Vs.

1. The State by,
Inspector of Police,
Killianur Police Station,
Villupuram District.
(Crime No.109/2021)

... Respondent/Complainant

2. B.Kothandaraman

... Respondent/ defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to Crime No.109 of 2021, on the file of Killianur Police Station, Villupuram District and to quash the same.

For Petitioners : Mr.A.R.Sakthivel

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

For R2 : Ms.A.Kanimozhi



WEB COPY



Crl.O.P.No.3875 of 2026

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.109 of 2021, on the file of the first respondent, 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.109 of 2021 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 294(b), 427 and 506(i) of IPC. After completion of investigation, a charge sheet was filed and taken cognizance of, as aforesaid.

4. Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioners. Affidavits and a Joint Compromise Memo to that effect have also been filed.



WEB COPY

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel.

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 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 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



Crl.O.P.No.3875 of 2026

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 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.109 of 2021 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 proceedings in Crime No.109 of 2021, on the file of the first respondent, is quashed as against the petitioners.



Crl.O.P.No.3875 of 2026

WEB COPY

11. 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.

25.02.2026

vm

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Kilianur Police Station,
Villupuram District.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.3875 of 2026

A.D.JAGADISH CHANDIRA, J.

vm

Crl.O.P.No.3875 of 2026

25.02.2026