



WEB COPY

CRL OP No. 3827 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

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

CRL OP No. 3827 of 2026

Kovendran

..Petitioner(s)

Vs

1. The State of Tamil Nadu rep by
The Inspector of Police,
Chithode Police Station,
Erode.
(Crime No.10 of 2023)

2. Arjunan

..Respondent(s)

Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, to call for the entire records relating to the
proceedings in S.C.No.2 of 2026 pending on the file of the Principal District
and Sessions Judge, Erode and quash the same.

For Petitioner(s):

Mr.R.Nalliyappan

For Respondent(s):

Mr.S.Santhosh

Government Advocate (Crl.Side) for R1

Mr.A.Prithvi Raj for R2



ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in S.C.No.2 of 2026, pending against the petitioner, on the file of the Principal District and Sessions Court, Erode, on the basis of the compromise arrived at between the petitioner 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, a case in Crime No.10 of 2023 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 294(b), 323, 506(I) and 436 of IPC. After completion of investigation, the final report was filed before the Principal District and Sessions Court, Erode and the Court took cognizance of the same and numbered it as S.C.No.2 of 2026.

4. Learned counsel appearing for the petitioner 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 as against the petitioner. Affidavit of the defacto complainant and Joint Memo of Compromise to that effect have also been filed.



5. The petitioner and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as Mr.V.Kasilingam, SSI, Chithode Police Station, Erode.

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

7. 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.



8. 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 proceedings in S.C.No.2 of 2026 pending on the file of the Principal District and Sessions Court, Erode, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

9. Accordingly, this Criminal Original Petition stands disposed of and the proceedings in S.C.No.2 of 2026 pending on the file of the Principal District and Sessions Court, Erode, is quashed as against the petitioner, on condition that the petitioner pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.

10. 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.

17-02-2026

Neutral Citation: Yes/No
VKR



To

1. The Principal District and Sessions Judge, Erode.

2. The Inspector of Police,
Chithode Police,
Erode.

3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

VKR

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