



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

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

CRL OP No. 4542 of 2026

AND

CRL MP NO. 3223 OF 2026, CRL MP NO. 3221 OF 2026

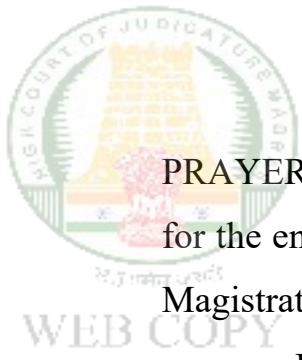
1. C.Rajasekaran
S/o.Chakarapani,
No.16, V.C.Dat Street,
Sivanandhapuram, Cuddalore, Tamilnadu.
2. G.Lakshminarayanan
S/o.Kotatti Narasima Rao,
First Floor, Sowmya Vijaya
Sri Manikandan Street,
Balaji Nagar Garden, Madipakkam, Chennai-9.
3. G.Chakrapani
S/o.Gopalakrishnan
No.16, Dutt Street, Sivanandhapuram,
Cuddalore - 607 003.

..Petitioner(s)

Vs

1. The State Rep. by the Inspector of Police,
District Crime Branch,
Cuddalore District.
(Cr.No.11/2010)
2. D.Karthick
S/o.Devaraj,
No.F-1, A-Block, Nakshathra Flats,
Munusamy Nagar, Medavakkam,
Chennai - 600 100.

..Respondent(s)



PRAYER : Petition filed under Section 482 of Cr.P.C. r/w 528 of BNSS, to call for the entire records in C.C.No.83/2017 pending trial on the file of the Judicial Magistrate-II, Cuddalore and quash the same.

For Petitioner(s): Mr.V.Jayaprakash Narayanan
For Respondent(s): Mr.S.Vinoth Kumar, GA (Crl.Side) For R1
Mr.S.Ganesh kumar for R2

Order

The present Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.83 of 2017 on the file of the Judicial Magistrate-II, Cuddalore, pending against the petitioners, 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, a case in Crime No. 11 of 2010 was registered on the file of the first respondent Police against the accused, for the offences under Sections 420, 506(ii) of IPC r/w Section 25(1B)(a) of the Arms Act. After completion of investigation, the final report was filed before the Judicial Magistrate Court - II, Cuddalore and the Court took cognizance of the same and numbered it as C.C.No.83 of 2017.

4. The learned counsel for the petitioners would submit that it is only an air gun, for which, licence is not required and the Forensic Lab has also given a report that no licence is required for possession of the same. He would



further submit that since the parties have entered into a joint memo of compromise, no useful purpose would be served by keeping the case pending against the petitioners. Hence, prayed to quash the proceedings.

5. The learned counsel for the *de facto* complainant / second respondent would submit that the second respondent has given a complaint due to the financial dispute. The parties have now compromised the matter. Hence, the second respondent / *de facto* complaint has no objection for the proceedings being quashed based on terms of the joint memo of compromise.

6. The learned Government Advocate (Criminal Side) appearing on behalf of the first respondent police 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 the offences of this nature can be quashed on the ground of compromise between parties.

7. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective learned counsel as well as by the learned Government Advocate (Crl.Side).

8. 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.



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.

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 C.C.No.83 of 2017, pending on the file of the Judicial Magistrate Court – II, Cuddalore, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



11. Accordingly, this Criminal Original Petition stands disposed of and the proceedings in C.C.No.83 of 2017, pending on the file of the Judicial Magistrate Court – II, Cuddalore, is quashed as against the petitioners, on condition that the petitioners pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) jointly 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.

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.

13. Consequently, the connected miscellaneous petitions are closed.

25-02-2026

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

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A.D.JAGADISH CHANDIRA J.

GSK

To

1. The Judicial Magistrate-II, Cuddalore.
2. The Inspector of Police,
District Crime Branch,
Cuddalore District.

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