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Crl.O.P.No.4529 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 26.02.2026**

CORAM:

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

**Crl.O.P.No.4529 of 2026**  
**and Crl.MP.No.3209 of 2026**

Shyamjith @ Shyam

... Petitioner

Vs.

1.The State represented by  
The Inspector Police,  
Chettypalayam Police Station,  
Coimbatore District.  
(Crime No.348 of 2025)

2. H.Gayathri

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the entire records connected with the proceedings of the First Information Report in Crime No.348 of 2025 dated 30.09.2025 pending on the file of the first respondent police and to quash the same.

|                |                                                   |
|----------------|---------------------------------------------------|
| For Petitioner | : Mr.S.Gokul                                      |
| For R1         | : Mr.S.Santhosh<br>Government Advocate (Crl.Side) |
| For R2         | : Mr.S.C.Sridhar                                  |



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## **ORDER**

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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.348 of 2025 on the file of the first 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.348 of 2025 was registered on the file of the 1<sup>st</sup> respondent/ Police against the petitioner for the offences under Sections 329(4), 296(b) and 109(1) of the Bharatiya Nyaya Sanhita, 2023.

4. Learned counsel appearing for the petitioner as well as for the *de facto* complainant/R2 submitted that on the advice of elders and well-wishers, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the aforesaid proceedings. Affidavits 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 were identified by their respective counsel and Mr.N.Sasi Kumar, SSI of Police, Chettipalayam Police Station, Coimbatore District.



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

7. The 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. He would further submit that the charge sheet has been e-filed in LTN20220002270C2022600006 before Judicial Magistrate, Madukkarai, Coimbatore, dated 25.01.2026 and yet to be taken on file.

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, to quash non-compoundable offences. One very important test



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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.

10. In view of the above, this Court is inclined to quash the First Information Report in Crime No.348 of 2025 on the file of the first respondent, and all other further proceedings, pursuant to the FIR, in exercise of its jurisdiction under Section 482 of Cr.P.C.

11. Accordingly, First Information Report in Crime No.348 of 2025 on the file of the first respondent and the charge sheet filed before the Judicial Magistrate, Madukkarai, Coimbatore are quashed as against the petitioner and this Criminal Original Petition is disposed of on condition that the petitioner



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pays 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 one (1) week from the date of receipt of a copy of this order.

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. Consequently, the connected miscellaneous petition is closed.

**26.02.2026**

*dsn*

Neutral Citation: Yes/No



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**A.D.JAGADISH CHANDIRA, J.**

*dsn*

To

1. The Judicial Magistrate, Madukkarai,  
Coimbatore.
2. The Inspector Police,  
Chettypalayam Police Station,  
Coimbatore District.
3. The Public Prosecutor,  
High Court of Madras.

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