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Crl.O.P.No.7096 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2026

CORAM:

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

Crl.O.P.No.7096 of 2026

D.Ganesh Murthi @ Ganesh

... Petitioner

Vs.

1. State rep. by,
The Inspector of Police,
T-4, Madhuravoyal Police Station,
Chennai
(Crime No.782 of 2025)

2. A.Arun Kadhadaran

... Respondents

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 FIR in Crime No.782 of 2025 pending on the file of the first respondent and quash the same.

For Petitioners : Mr.T.Balaji

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

For R2 : Ms.S.Kanimozhi

ORDER

The present Criminal Original Petition has been filed seeking to



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quash the FIR in Crime No.782 of 2025, on the file of the first respondent, 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, the aforesaid case in Crime No.782 of 2025 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 296(b), 115(2) and 351(2) of the BNS, 2023 and Section 4 of the TN Prohibition of Harassment of Women Act, 2002. After completion of investigation, a charge sheet was filed and taken cognizance of as aforesaid.

4. The case of the prosecution is that the *de facto* complainant has purchased an Electric Bike from the showroom run by the petitioner after paying an amount of Rs.95,000/-. Since the said Electric Bike broke down frequently, the *de facto* complainant, along with his wife, had gone to the showroom run by the petitioner and when they had questioned the same, the petitioner is said to have abused and assaulted the *de facto* complainant



and his wife. Hence, the case.

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5. The learned counsel for the petitioner would submit that the petitioner is running an Electric Bike showroom. The de facto complainant complained about the poor functioning of the Bike to the petitioner. During such time, there was a quarrel and the incident had happened. The parties have now comprised the matter, pursuant to which, the amount has been repaid and the Bike has been taken by the de facto complainant and the petitioner has also compensated the de facto complainant and his wife in respect of the injuries alleged to have been sustained by them.

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

7. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by the Inspector of Police, T-4, Madhuravoyal Police Station, Chennai.



8. 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.

9. 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 the offences of this nature can be quashed on the ground of compromise between parties.

10. 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



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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.

11.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.

12. In view of the above, this Court is inclined to quash the proceedings pending against the petitioner in Crime No.782 of 2025 on the file of the Inspector of Police, T-4, Madhuravoyal Police Station, Chennai, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

13.Accordingly, this Criminal Original Petition stands disposed of and the First Information Report in Crime No. 782 of 2025 pending on the file of the first respondent police is quashed as against the petitioner, on condition that the petitioner pays a sum of Rs.10,000/- (Rupees Ten Thousand only) each as costs to the Tamil Nadu State Legal Services



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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.

14. 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.

18.03.2026

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
T-4, Madhuravoyal Police Station, Chennai
2. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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