



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6236 of 2026

M.Noor Ali
W/o.Muneer Ali,
No.6, Sivaguru Street,
Muthurangam Flat,
Jaffer Khanpet, Chennai - 600 083.

..Petitioner(s)

Vs

1. The State of Tamilnadu Rep. by
The Inspector of Police,
J-6 Police Station,
Thiruvananthapuram, Adyar District.
(Crime No.378 of 2025)

2. D.Muneer Ali
S/o.Dadamiyan,
No.6, Sivaguru street,
Muthurangam flat, Jaffer Khanpet,
Chennai - 600 083.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS, to call for the records and quash the proceedings in FIR Crime No.378 of 2025 pending before the J-6 Thiruvananthapuram Police Station in entirety and pass such or further orders as this honble court may deem fit and proper in the circumstances of the case.

For Petitioner(s):

Mr.O.Jayapranam
for Mr.K.Arunprasad

For Respondent(s):

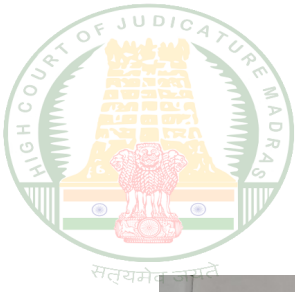
Mr.R.Rajasekaran
Govt. Advocate (Crl.Side)
For R1

**ORDER**

The petitioner/accused in crime No.378 of 2025 for offences under Sections 296(b), 118(1) and 351(3) of BNS, 2023 filed this quash petition.

2.The case against the petitioner is that the defacto complaint runs a mutton shop in Adyar, Chennai. He has two wives. He married the first wife Noori Ali in the year 1999 and is residing at Jafferkhanpet. Further, he married his second wife Ayesha on 31.11.2014 and is residing a separate family with her at Injambakkam. On 31.08.2025 (Sunday), there was heavy crowd in his shop. Hence, his first wife Noori Ali came to assist his as usual. At about 7.30 p.m., she questioned him for having purchased a two-wheeler for the son of his second wife Ayesha Beevi. She picked up a quarrel and objected to his visiting the house of second wife. During the quarrel, she abused in filthy language and took a knife available in the shop and stabbed him on his stomach. Hence, lodged a complaint.

3.The learned counsel for the petitioner submitted that the petitioner and the defacto complainant are husband and wife and it is a family dispute. Now, at the intervention of their relatives, friends, both the petitioner and the defacto complainant have been resolved amicably a compromise was arrived between the parties. In respect of the same, they filed Joint Memo of Compromise, which scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Crl. O.P. No. of

Against

Crime No. 378 of 2025

(On the file of J-6 Thiruvananthapuram Police Station, Chennai.)

1. M. Noori Ali (F / 46 Yrs)

W/o. Muneer Ali,

No. 6, Sivaguru Street,

Muthurangam Flat,

Jafferkanpet,

Chennai – 600 083.

... Petitioner /Accused

-VS-

1. The Inspector of Police,

J-6 Police Station,

Thiruvananthapuram,

Adyar District,

(Crime No. 378 of 2025)

... 1st Respondent/Complainant**2. D.Muneer Ali (M / 54 Yrs)**

S/o. Dadamiyan,

No. 6, Sivaguru Street,

Muthurangam Flat,

Jafferkanpet,

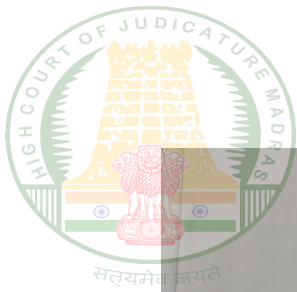
Chennai – 600 083.

... 2nd Respondent / Defacto

Complainant

M. Noori

D. Muneer



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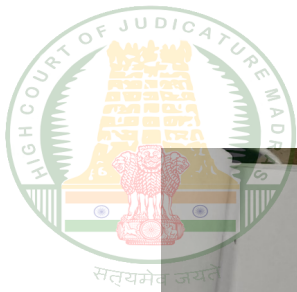


JOINT MEMO COMPROMISE FILED BY PETITIONER AND THE 2ND RESPONDENT

1. It is respectfully submitted that on the defacto complainant of 2nd respondent, ~~given~~ a complaint and FIR was registered in Crime No. 378 of 2025 was filed by the 1st respondent under the section 296(b), 118(1), 351(3) THE BHARATIYA NYAYA SANHITA (BNS), 2023.
2. it is respectfully submitted that a compromise was arrived between the petitioner and the 2nd respondent. Further, the 2nd respondent has decided not to proceed with the criminal offence in Crime No. 378 of 2025 pending before the J-6 Thiruvananthapuram Police Station and the 2nd respondent is not interested in continuation of the criminal proceedings against the petitioner.
3. It is respectfully submitted that the 2nd respondent has no objection to quash the entire proceedings in Crime. No. 378 of 2025 pending before the J-6 Thiruvananthapuram Police Station.
4. The petitioner and the 2nd respondent hereby undertake that they will not under any circumstances disturb each other by any means whatsoever.
5. That this joint memo of compromise between the petitioner and the 2nd respondent/ Defacto complainant both are Husband and Wife and we have a Daughter, now she is studying, so future of our Daughter life, we both deciding compromise were executed voluntarily, on their own will and with mutual consent without any Fear, Pressure, Force, Fraud, Undue Influence and Coercion.

M. NOORIE

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6. The petitioners and the 2nd respondent pray that this Hon'ble court may be pleased to record the joint memo of compromise and quash the entire proceedings in Crime. No. 378 of 2025 filed by the 1st respondent and pending before J-6 Thiruvananthapuram Police Station.

Dated at Chennai on this ^{th.} 9 day of ^{February} 2025

M. Noori

M. Noori Ali
(Petitioner / Accused)

D. Muneer

D. Muneer Ali
2nd respondent /
Defacto Complainant



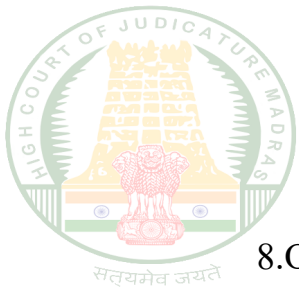
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4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that the petitioner and the defacto complainant are husband and wife and it is a family dispute. In this case, the respondent police filed final report before 18th Metropolitan Magistrate Court, Saidapet through E.filing No.LTN 20230002474C202500221, which is yet to be taken on file. He further submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

5.Heard both sides and perused the materials available on record.

6.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

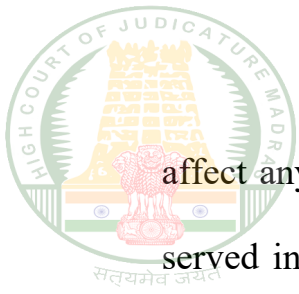
7.The petitioner and the de facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Ms.U.Esaikkidurai, J-6, Police Station, Thiruvananthapuram.



8. On interaction by this Court, the defacto 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. 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.

10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent defacto complainant 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 in crime No.378 of 2025 on the file of the first respondent police.

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.378 of 2025 pending on the file of the first respondent police, is quashed.

12. The affidavit and the Joint Memo of Compromise filed by the petitioner and the second respondent defacto complainant for compromising the offences shall form part of the records.

05-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

sms

To

1. The Inspector of Police,
J-6 Police Station,
Thiruvananthapuram, Adyar District.
(Crime No.378 of 2025).
2. The Public Prosecutor
High Court, Madras.



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CRL OP No. 6236 of 2



M.NIRMAL KUMAR, J.

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CRL OP No. 6236 of 2026

05-06-2026