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CRL OP No. 5914 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5914 of 2026

and

CRL.M.P.No.4363 of 2026

1.M.Saravanan,
Son of Muthu,
No.1/403/1, Main Road,
Puduvettagudi Village, Kunnam Taluk,
Perambalur District – 621 716.

2.M.Dhanalakshmi,
Wife of Muthu,
No.2/85, South Street,
Puduvettagudi Village, Kunnam Taluk,
Perambalur District – 621 716.

3.S.Santhi
Wife of Sabari,
No.1/403, South Street,
Puduvettagudi Village, Kunnam Taluk,
Perambalur District – 621 716.

Petitioners

Vs

1.The Deputy Superintendent of Police,
Managalamedu Sub Division,
Managalamedu,
Perambalur District – 621 115.

2.The State, Rep by
The Inspector of Police,
AWPS – Mangalamedu Police Station,
Perambalur District.
Crime No.02 of 2025.

3.S.Anitha,
Wife of Saravanan,



CRL OP No. 5914 of 2026

No.1/403/1, Main Road,
Puduvettagudi Village, Kunnam Taluk,
Perambalur District – 621 716.

Respondent(s)

PRAYER: The Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for the records pertaining to the First Information Report in Crime No.02 of 2025, on the file of the respondent police and quash the same.

For Petitioners : Mr.S.Senthamizhan

For Respondents-1 & 2: Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

For Respondent-3 : Mr.M.Senthamizhselvan

ORDER

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.02 of 2025, on the file of the respondent police as against the petitioners, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/third respondent.

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

3. Based on the complaint given by the *de facto* complainant/third respondent, a case in Crime No.02 of 2025 registered on the file of the second respondent Police against the petitioners, for the offence under Sections 294(b), 85, 351(2) & 88 of BNS, 2023, Sections 3(1)(e) and 3(1)(r) of SC/ST (Prevention of Atrocities) Act, 1989 and Sections 66E & 67 of Information Technology (Amendment) Act, 2008.



4. The learned counsel appearing for both the petitioners and the *de facto* complainant submitted that the first petitioner is the husband of the *de facto* complainant and petitioners 2 and 3 are mother-in-law and sister-in-law of the *de facto* complainant, respectively. They further submitted that the parties have now compromised and the *de facto* complainant decided to live with the first petitioner in the matrimonial home. The *de facto* complainant also agreed to withdraw the criminal proceedings against the petitioners.

5. As the parties have now amicably settled the issue among themselves, they seek to quash the First Information Report as against the petitioners. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

6. The petitioners and the *de facto* complainant/third respondent are present before this Court and they were identified by their respective counsel.

7. On being enquired by this Court, the parties confirmed the compromise entered between them. The *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.



8. The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that though the parties 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.

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



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third 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 First Information Report in Crime No.02 of 2025, pending on the file of the Second respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, the Criminal Original Petition is allowed and the First Information Report in Crime No.02 of 2025, pending on the file of the Second respondent police, is quashed as against the petitioners. The petitioners are discharged of all the charges.

12. The affidavits and the Joint Memo of Compromise filed by the petitioners and the third respondent for compromising the offences shall form part of the records. Consequently, the connected Criminal Miscellaneous Petition is closed.

06-03-2026

Index : Yes/No
Speaking order/Non-speaking order
Neutral citation : Yes/No
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M.NIRMAL KUMAR, J.

rsi

To

1.The Deputy Superintendent of Police,
Managalamedu Sub Division,
Managalamedu,
Perambalur District – 621 115.

2.The Inspector of Police,
AWPS – Mangalamedu Police Station,
Perambalur District.

3.The Public Prosecutor
High Court, Madras.

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