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Crl.O.P. No. 6147 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE M. NIRMAL KUMAR

Crl. O.P. No. 6147 of 2026

V. Vimal

..Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
M-4, Redhills Police Station,
Redhills, Thiruvallur District.

2. A. Mari

..Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS to consider the compromise and quash the FIR in Crime No. 650 of 2025 dated 03.10.2025 under Sections 126(2), 296(b), 351(3) of BNS on the file of M-4, Redhills Police Station, Thiruvallur.

For Petitioner ::Mr.A. Susairaj

For Respondents:: Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor
for R1
R2 present in Court



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ORDER

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The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.650 of 2025, pending against the petitioner, on the file of the first respondent Police, on the basis of the compromise arrived at between the petitioner and the *de facto* complainant/second respondent.

2. The gist of the prosecution case is that the *de facto* complainant had obtained orders from this Court in W.P. No. 33854 of 2025 to measure his land and accordingly, with the help of officials and the Police, survey was conducted and the land was measured. When the boundary stones were being planted with the help of Police officials, the petitioner, who was residing nearby, had questioned the same and picked up a quarrel with the *de facto* complainant. The petitioner had abused the *de facto* complainant and threatened to kill him, besides attempting to hit him with a helmet resulting in lodging of complaint.



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3. Heard both sides and perused the materials available on

record.

4. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No. 650 of 2025 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections Sections 126(2), 296(b) and 351(3) of BNS .

5. Now, the issue has been resolved and the *de facto* complainant has come forward to withdraw the complaint. Learned Additional Public Prosecutor also confirms the same.

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

7. The petitioner and the *de facto* complainant/R2 are present before this Court and they were identified by Mr.N. Suthakar, HC 12801, M4- Redhills Police Station, Redhills, Thiruvallur.

8. On being enquired by this Court, the parties confirmed the compromise entered between them. The *de facto* complainant stated that he



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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 Additional Public Prosecutor appearing on behalf of the first respondent 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.

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 in



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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. In view of the above, this Court is inclined to quash the First Information Report in Crime No.650 of 2025 pending on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

12. Accordingly, the Criminal Original Petition is allowed and the First Information Report in Crime No.650 of 2025 pending on the file of the first respondent police is quashed as against the petitioner. The petitioner is discharged of all the charges.



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M. NIRMAL KUMAR,J.

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13. 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.

10.03.2026

nv

To

1. The Inspector of Police,
M-4, Redhills Police Station,
Redhills, Thiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

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