



CrI.O.P.No.5634 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2026

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.5634 of 2026

1.Dhanush
2.Srinath
3.Naresh
4.Rajesh
5.Sankar

... Petitioners

vs.

1.The State Rep by,
The Inspector of Police,
M-5 Ennore Police Station,
Chennai District.
Crime No.31/2025.

2.Krishnan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to call for the records and quash the FIR
against the petitioners/accused in Crime No.31 of 2025.

For Petitioners : Mr.K.Gandhi Kumar

For R1 : Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor
Assisted by M/s.Harshana.T

For R2 : M/s.Shaikh Mehrunnisa Kasim



CrI.O.P.No.5634 of 2026

ORDER

WEB COPY

The petitioners/accused in Crime No.31 of 2025 for offence under Sections 126(2), 115(2) and 118(1) of Bharatiya Nyaya Sanhitam, 2023 on the file of the respondent Police has filed this Criminal Original Petition.

2.Case of the prosecution is that on 16.01.2025 at about 8.00 p.m. when the defacto complainant was going home from Kosatthalai riverbank, he saw the petitioners 1 and 4 taking the sweet box kept on the vehicle of one Lukesh, brother's son of defacto complainant. The said Lukesh questioned them and there was a wordy quarrel between them. At that time, the defacto complainant questioned them, for which the petitioners attacked him with wooden log, in which the defacto complainant sustained injuries. The defacto complainant's younger brother took him to Saraswati Hospital and from there, he was taken to Stanley Government Hospital. Information was sent from the Hospital to the respondent police. On the complaint of the 2nd respondent, the 1st respondent Police registered an FIR in Crime No.31 of 2025 for offence under Sections 126(2), 115(2) and 118(1) of BNS, 2023 against the petitioners.



3.Learned counsel for the petitioners submits that due to wordy altercation, there was physical attack by both the parties and it is a case in counter. He further submits that on considering the well-being and future, the 2nd respondent is not willing to proceed further with the complaint registered against the petitioners. Both the petitioners and the 2nd respondent arrived at a compromise and resolved the issue. Hence, he prays for quashing.

4.Learned Additional Public Prosecutor appearing for the 1st respondent Police submitted that on receipt of information from Stanley Government Hospital on 16.01.2025, the respondent police went to the Hospital and the 2nd respondent lodged a complaint stating that there was a wordy quarrel between one Lukesh, brother's son of defacto complainant and petitioners, at that time, the defacto complainant intervened to resolve the issue between them, in which the petitioners attacked the defacto complainant with wooden log. On the complaint of the 2nd respondent, the respondent Police registered an FIR in Crime No.31 of 2025 for offence under Sections 126(2), 115(2) and 118(1) of BNS, 2023 against the petitioners. Now the investigation is going-on. In the meantime, both the



petitioners and the 2nd respondent arrived at a compromise and settled the issues.

5.Considering the submissions made and on perusal of materials, it is seen that 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.

6.Today the petitioners and the 2nd respondent appeared before this Court and their identity is confirmed by Mr.Vijay, Sub Inspector of Police attached to the 1st respondent Police Station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The petitioners and the 2nd respondent have filed separate affidavit before this Court and also filed the Joint Compromise Memo.

7.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines



Crl.O.P.No.5634 of 2026

given by the Hon'ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report on the file of the 1st respondent Police.

8.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.31 of 2025, on the file of the 1st respondent police, is quashed against the petitioners.

27.03.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
cse

To

1.The Inspector of Police,
M-5 Ennore Police Station,
Chennai District.

2.The Public Prosecutor,
Madras High Court.

Page No.5 of 6



WEB COPY



Crl.O.P.No.5634 of 2026

M.NIRMAL KUMAR, J.

cse

Crl.O.P.No.5634 of 2026

27.03.2026