



WEB COPY

CRL OP No. 6904 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6904 of 2026

1. R.Sugumar
2. S.Gowtham
3. Loganathan
4. V.Rajaguru

..Petitioner(s)

Vs

1. State rep.by,
Inspector of Police,
Erode South Police Station,
Erode.
2. S.Nataraj

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 528 BNSS, pleaded to call for the records relating to the Cr.No.17 of 2026 on the file of the 1st respondent police and to quash the same.

For Petitioner(s):

Mr.I.Abrar MD Abdullah

For Respondent(s):

Mr.Leonard Arul Joseph Selvam

Additional Public Prosecutor

Assisted by M/s.Harshana.T for R1

M/s.S.Gangeswetha for R2

M/s.S.Gangeswetha for R2

ORDER

The Criminal Original Petition was filed to quash the proceedings against the petitioners in Cr.No.17 of 2026 registered for the offences under Section 329 (4), 296 (b), 115 (2), 118 (1) and 351 (3) of BNS, 2023.

2.The case of the prosecution is that the first petitioner and his wife running a Hotel named Tamil Mess. Near their mess, Avasa Lodge is



functioning and the defacto-complainant / S.Nataraj is the Manager. A dispute arose between the lodge Manager and the first petitioner. The first petitioner went to Avasa lodge requested a single room, which was denied and he abused and assaulted the lodge Manager / defacto-complainant. Hence, a complaint against the petitioners in Cr.No.17 of 2026 for the offences under Section 329 (4), 296 (b), 115 (2), 118 (1) and 351 (3) of BNS, 2023 registered. Thereafter, the defacto-complainant / Nataraj entered the petitioner's mess, where they abused and threatened petitioner's wife, abused her, threatened her, pulled her saree and pushed her down to the floor and also damaged articles like Fridge, show case and taken away cash, for this incident, a case registered in Cr.No.18 of 2026. It is a case in counter.

3.Learned counsel for the petitioners submits that the petitioners not involved in any activities as alleged by the 2nd respondent and they did not use filthy language or physical violence against the 2nd respondent. 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. He further states that 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 based on the defacto-complainant's complaint, a case has been registered in Cr.No.17 of 2026 registered for the offences under Section 329 (4), 296 (b), 115 (2), 118 (1) and 351 (3) of BNS, 2023. It is a case in counter. In the meantime, the petitioners and the 2nd respondent arrived at a compromise and settled the issues.

5.Considering the submissions 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 in person. 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 Joint Compromise Memo and affidavits before this Court.



M.NIRMAL KUMAR, J.

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 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 case in Crime No.17 of 2026, on the file of the 1st respondent police, is quashed.

27-03-2026

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To

1. The Inspector of Police,
Erode South Police Station,
Erode.
2. The Public Prosecutor
High Court of Madras.

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