



WEB COPY

CRL OP No. 6881 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. 6881 of 2026

1. Chandru Alias Chandrasekaran
2. M.Matheswaran
3. P.Krishnamoorthi
4. P.Deepan
5. S.Nataraj

..Petitioner(s)

Vs

1. State Rep by, Inspector of Police,
Erode South Police Station,
Erode.
2. S.Krishnaveni

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 528 BNSS, pleaded to call for the records relating to the FIR No.18 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

ORDER

The Criminal Original Petition was filed to quash the proceedings in Cr.No.18 of 2026 registered for the offences under Section 329 (4), 296 (b), 118 (1), 351 (3), 305 (a) of BNSS, 2023, Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.



2.The case of the prosecution is that the defacto-complainant and her husband running a Hotel named Tamil Mess. Near to their mess, Avasa Lodge is functioning and the fifth petitioner is the Manager at the lodge, a dispute arose between the lodge Manager and the defacto-complainant's husband. Hence, the petitioners entered the defacto-complainant's mess, started abusing her and threatened her and pushed to the floor by pulling her saree. Further, they damaged articles like Fridge, show case and taken away the cash. Prior to this incident, the defacto-complainant's husband went to Avasa lodge, asked for a single room, which was denied. Due to which, he abused and assaulted the lodge Manager / fifth petitioner. For this incident, the fifth petitioner lodged a complaint against the defacto-complainant's husband in Cr.No.17 of 2026 for the offences under Section 329 (4), 296 (b), 115 (2), 118 (1) and 351 (3) of BNS. As a counter blast the present complaint lodged.

3.Learned counsel for the petitioners submits that the petitioners not involved in any activities as alleged by the 2nd respondent and they not used any filthy language or shown 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.18 of 2026 registered for the offences under Section 329 (4), 296 (b), 118 (1), 351 (3), 305 (a) of BNSS, 2023, Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. It is a counter case. The fifth petitioner who is the owner of the lodge gave a complaint against the defacto-complainant's husband in Cr.No.17 of 2026. Now the investigation is proceeding. 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.18 of 2026, on the file of the 1st respondent police, is quashed against the petitioners.

27-03-2026

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To

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

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