



Crl.O.P.(MD).No.4928 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD).No.4928 of 2026

and

Crl.M.P.(MD).Nos.5267 & 5269 of 2026

T.T.V.Dinakaran

...Petitioner

Vs.

1. State of Tamil Nadu rep. by,
The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
Crime No.224 of 2018.

2. M.A.Muniyasamy,
The District Secretary,
AIADMK Party,
Ramanathapuram District.

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records
bearing in P.R.C.No.69 of 2025 on the file of the District Munsif-cum-
Judicial Magistrate Court, Kamuthi, Ramanathapuram District and quash
the same as against the petitioner.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondents : Mr.S.Udayakumar, GA (Crl. Side), for R1
: Mr.K.R.Bharathi Kannan, for R2



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ORDER

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This criminal original petition has been filed seeking to quash the proceedings in P.R.C.No.69 of 2025, on the file of the District Munsif-cum-Judicial Magistrate Court, Kamuthi, Ramanathapuram District, on the basis of the compromise arrived at between the petitioner and the *de facto* complainant/2nd respondent.

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

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.224 of 2018 was registered on the file of the 1st respondent-police as against the petitioner and other accused, for the offences under Sections 147, 148 & 504 of IPC and Section 3(1) of the Prevention of Damage to Public Property Act. After completion of investigation, the final report was filed before the court concerned for the offences under Sections 147, 148, 149 & 504 of IPC and Section 3(1) of the Prevention of Damage to Public Property Act and the same was taken on file by the District Munsif-cum-Judicial Magistrate Court, Kamuthi, Ramanathapuram District in P.R.C.No.69 of 2025.



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4. Learned counsel for the petitioner as well as the learned counsel appearing for the 2nd respondent/de facto complainant submitted that the parties have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioner in P.R.C.No.69 of 2025. An affidavit of the 2nd respondent/de facto complainant and a Joint Compromise Memo to that effect have also been filed before this Court.

5. The petitioner and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel.

6. On being enquired by this Court, the 2nd respondent/*de facto* complainant stated that he 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.

7. Learned Government Advocate (Criminal Side) appearing on behalf of the 1st respondent submitted that though the parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences and that in this case, damage has been caused to public property, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.



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8. In reply, the learned counsel for the petitioner as well as the 2nd respondent submitted that the alleged property said to be damaged is nothing but flex boards installed by the 2nd respondent and they are private properties and that the 2nd respondent is not interested in pursuing the matter, and therefore, no useful purpose will be achieved by continuing the proceedings.

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 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 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.



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10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the 2nd 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 proceedings pending against the petitioner in P.R.C.No.69 of 2025 on the file of the District Munsif-cum-Judicial Magistrate Court, Kamuthi, Ramanathapuram District, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this criminal original petition stands allowed and the proceedings in P.R.C.No.69 of 2025 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Kamuthi, Ramanathapuram District, is quashed as against the petitioner on condition that the petitioner pays a sum of Rs.50,000/- (Rupees Fifty Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.



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12. The Affidavit of the 2nd respondent and the Joint Memo of Compromise filed by the petitioner and the 2nd respondent for compromising the offences shall form part of the records. It is made clear that the payment of costs will, in no manner, prejudice or impact the petitioner. Consequently, the connected miscellaneous petitions are closed.

26.03.2026

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Neutral Citation: Yes/No

To:

1. The District Munsif-cum-Judicial Magistrate,
Kamuthi, Ramanathapuram District.
2. The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
3. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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