



WEB COPY

CRL OP No. 7042 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. 7042 of 2026

Vijayakumar

..Petitioner(s)

Vs

1. The State Rep. by
The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
2. Selvam

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 528 of BNSS, pleaded to call for the entire records connected with FIR in Crime No.144 of 2025 pending investigation on the file of the 1st respondent police and quash the same.

For Petitioner(s):

Mr.Sathiyaraj

For Respondent(s):

Mr.Leonard Arul Joseph Selvam

Additional Public Prosecutor

Assisted by M/s.Harshana.T for R1

ORDER

The Criminal Original Petition was filed to quash the proceedings in Cr.No.144 of 2025 registered for the offences under Section 296 (b), 308 (2), 308 (3), 351 (3) of BNS, Section 3 and 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003, on the file of 1st respondent Police Station.

2.The case of the prosecution is that during the year 2022, the second respondent had borrowed a sum of Rs.2,00,000/- from the petitioner. The



second respondent was regularly paying the monthly interest to the petitioner.

When the second respondent was unable to pay the interest money on 09.03.2025, the petitioner called the second respondent over phone and demanded exorbitant rate of interest for the interest amount, which was payable by the second respondent. It is also alleged that the petitioner abused him using filthy language. Therefore, the second respondent lodged a complaint against the petitioner and a case has been registered against the petitioner in Crime No.144 of 2025 for the offences punishable under Sections 296 (b), 308 (2), 308 (3), 351 (3) of BNS, Section 3 and 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003.

3.Learned counsel for the petitioner submits that the petitioner did not involve in any activities as alleged by the 2nd respondent and he 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 petitioner. Both the petitioner 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 complaint given by the defacto-complainant a case has been registered in Cr.No.144 of 2025 registered for the offences



under Section 296 (b), 308 (2), 308 (3), 351 (3) of BNS, Section 3 and 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003. Now the investigation is going-on. In the meantime, both the petitioner 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 petitioner and the 2nd respondent appeared before this Court in person and their identity is confirmed by Mr.N.Anandhan, Sub Inspector of Police attached to the 1st respondent Police Station . This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves. The petitioner and the 2nd respondent have filed Joint Compromise Memo before this Court.

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 investigation in Crime No.144 of 2025, on the file of the 1st respondent police, is quashed against the petitioner. Consequently, connected Criminal Miscellaneous Petition is closed.

27-03-2026

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To

1. The State Rep. by
The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
2. The Public Prosecutor
High Court of Madras.



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M.NIRMAL KUMAR, J.

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