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CRL OP No. 7899 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 7899 of 2026

M.Murugan

..Petitioner(s)

Vs

1.The State Rep.by, The Inspector of Police,
Seemancherry Police Station,
Pallikaranai District.
Cr.No.102/2025.

2.Jayaprakash

..Respondent(s)

To call for records in CC.No.220 of 2025 on the file of learned District Munsif cum Judicial Magistrate at Cholinganallur Court at Chengalpattu and the same for compromise quash and thus render justice.

For Petitioner(s): Mr.K.Nivesh Kumar

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1

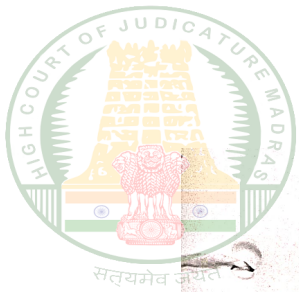
ORDER

The petitioner, who is facing trial for the offences under Sections 221, 351(2), of Bharat Naya Sanhita, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in CC.No.220 of 2025 on the file of the learned District Munsif cum Judicial Magistrate at Sholinganallur, has filed this quash petition.



2. The case of the prosecution is that the de facto complainant was working as Head Clerk in the District Munsif-cum-Judicial Magistrate, Sholinganallur. On 10.03.2025, when the Magistrate was on leave, the cases were given adjournment in the open Court. When RLTOP.Nos.22, 23 and 24 of 2024 were called, the petitioner's counsel was absent and hence, adjourned to 05.04.2025. Subsequently, the petitioner therein asked for adjournment to 18.03.2025, and he was informed that already adjournment was given. Thereafter, the petitioner's lawyer, Murugan, threatened through phone stating that they should listen what he says. Further, on 12.03.2025, the said Murugan again threatened them why they had not spoken to him over the phone earlier. Hence, the present complaint has been lodged. Upon completion of the investigation, a final report was filed by the respondent Police and the same has been taken on file in Spl.SC.No.103 of 2023 on the file of the learned Sessions Judge, Special court for Exclusive trial of cases under POCSO Act, Chennai.

3. The learned counsel for the petitioner submitted that the occurrence arose out of a misunderstanding between the parties, which was purely personal in nature. Subsequently, with the intervention of elders and well-wishers, the parties resolved their differences amicably. In view of the settlement, they have filed a Joint Compromise Memo, which was scanned and reproduced hereunder:



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MEMORANDUM OF CRIMINAL ORIGINAL PETITION
(Filed under section 482 of CRPC /528 of B.N.S.S,2023)
IN THE HIGH COURT OF JUDICATURE AT MADRAS

Crl. O.P. No. ~~189~~ of 2026

In

CC.No.220 of 2025

In

Crime No. 102 of 2025

(On the file of Respondent Police)

M.Murugan,(M-45)
S/o.Munuswamy,
No. 17,Srinivasa Nagar VPG avenue Extension,
Mettukuppam,
Chennai- 600097.

:: Petitioner/Sole Accused

---Vs---

1. The State represented by,
The Inspector of Police,
Seemancherry Police Station,
Pallikaranai District
(Crime No. 102/2025)

:: 1st Respondent/Complainant

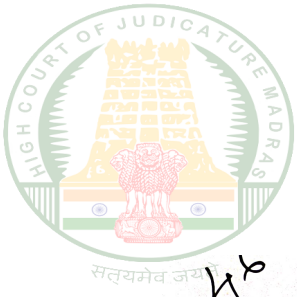
2. Jayaprakash, M/A-53 years,
S/o. Narayanan,
No127/172 Gandhi Salai,
Chengalpet,Chengalpattu,
Natham post Kancheepuram district.

:: 2nd Respondent/Defacto Complainant

JOINT COMPROMISE MEMO

It is made and entered into on this 23rd day of February 2026 at Chennai, by and between:

1. I, Murugan, aged about 45 years, S/o. Munuswamy, residing at No. 17-, Srinivasa Nagar VPG Avenue Extension,Mettukuppam, Chennai 600097 (hereinafter referred to as "the First Party"),



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AND

2. I, Jayaprakash, aged about 53 years, S/o. Narayanan, residing at No. 1271/172, Gandhi Salai, Chengalpattu, Natham post, Kancheepuram – 603 002 (hereinafter referred to as “the Second Party”).

The First Party and the Second Party shall collectively be referred to as “the Parties” and individually as a “Party.”

WHEREAS:- The Second Party lodged a complaint before the Inspector of Police, Semmancherry Police Station, which was registered as Crime No. 102 of 2025, for alleged offences under Section 221, 351(2), of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, against the First Party.

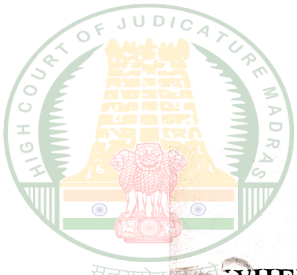
WHEREAS:- The First Party and the Second Party are not related to each other and were strangers prior to the incident mentioned in the complaint. After due communication and with the intervention of well-wishers, the Parties have amicably resolved the misunderstanding and agreed to settle the dispute without any ill will or further allegations.

NOW, THEREFORE, THIS MOU WITNESSETH AS FOLLOWS:

WHEREAS:- Both Parties acknowledge that the issue which led to the registration of Crime No. 102 of 2025 arose out of a misunderstanding, and the same has been resolved by way of first party apologist to second party.

M. M. f

P. Jayaprakash



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WHEREAS:- The Second Party declares that he has no grievance, complaint, or claim of any nature against the First Party and undertakes not to pursue or file any further complaint, civil or criminal, in respect of the same matter.

WHEREAS:- Both Parties agree that they shall not interfere in each other's personal or professional lives in any manner, directly or indirectly, and shall maintain cordial distance and respect hereafter.

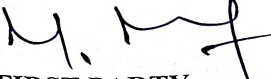
WHEREAS:- The Second Party hereby gives her full consent for the quashing of the FIR registered in Crime No. 102 of 2025 on the file of the Inspector of Police, Semmanchery Police Station thereafter final report filed and the same is pending before the Learned Munsif cum Judicial Magistrate at Sholinganallur Court at Chennai in CC.No.220 of 2025 and undertakes to cooperate in the process of quashing before the Hon'ble High Court of Madras.

WHEREAS:- Both Parties affirm that this joint compromise memo has been executed voluntarily, without any force, coercion, threat, or undue influence from any third party.

WHEREAS:- This joint compromise memo represents the entire understanding between the Parties with respect to the above matter and shall be binding upon them, their heirs, successors, legal representatives, and assigns. Any issue arising out of this joint compromise memo shall fall under the jurisdiction of the Courts at Chennai, Tamil Nadu.

IN WITNESS WHEREOF,

The Parties have signed this joint compromise memo on this 23rd day of February, 2026, at Chennai, in the presence of the witnesses mentioned below.


FIRST PARTY


SECOND PARTY



4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on complaint of the second respondent, the case came to be registered against the petitioner. He further submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offence, has to consider as to whether offences of this nature can be quashed on the ground of compromise between parties.

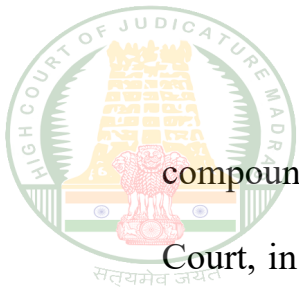
5.Heard both sides and perused the materials available on record.

6.The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

7.The petitioner and the second respondent/defacto complainant appeared before this Court and were duly identified by their respective counsel.

8.On interaction by this Court, the second respondent/defacto complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

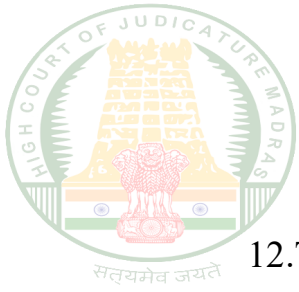
9.The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-



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.

10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second 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 petitioners in CC.No.220 of 2025.

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in CC.No.220 of 2025 on the file of the learned District Munsif-cum-Judicial Magistrate, Sholinganallur, is quashed.



12.The affidavits and the Joint compromise Memo filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To

1.The District Munsif cum Judicial Magistrate at
Sholinganallur Court at Chengalpattu

2.State Rep.by, The Inspector of Police,
Seemancherry Police Station,
Pallikaranai District.
Cr.No.102/2025.

3.The Public Prosecutor,
High Court, Madras



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M.NIRMAL KUMAR, J.

PVS

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