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Crl.O.P. No.9204 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 9204 of 2026

&

Crl.M.P. No. 6496 of 2026

Palanikumar

..Petitioner

Vs.

1. The State rep.by
Inspector of Police,
Guduvanchery Police Station,
Chengalpattu District.
(Crime No. 359 of 2024).

2. Mr. Ravichandran

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records and quash the proceedings in Crime No. 359 of 2024 pending investigation on the file of the 1st respondent.

For Petitioner

::

Mr.K. Karthik



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For Respondents ::

Mr.R. Rajasekaran
Counsel for Govt. of Tamil Nadu
(Crl.Side) for R1

ORDER

This Criminal Original Petition is filed to call for the records and quash the proceedings in Crime No. 359 of 2024 pending investigation on the file of the 1st respondent.

2. The case of the prosecution is that the petitioner along with his daughter defrauded the de facto complainant/2nd respondent to the tune of Rs.12,00,000/- with regard to purchase of a property situated at No.53, Indira Gandhi Nagar, Kayarambedu Village, Guduvancherry, Chengalpattu. The sale consideration agreed upon was Rs.47,00,000/- out of which the 2nd respondent paid Rs.12,00,000/-. In spite of the advance amount received, the petitioner never made any attempt to complete the sale and was delaying the execution of the sale deed on one pretext or the other. Subsequently, the 2nd respondent came to know that the petitioner had executed another fraudulent sale agreement in favour of one Bharathkumar in respect of the very same property which he intended to purchase. When the 2nd respondent demanded return of the advanced amount, the petitioner is



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said to have threatened him with dire consequences. It is further alleged that the petitioner is a habitual offender involved in such multiple fraudulent activities, thereby extracting large sums of money from gullible individuals. Hence, the complaint. Based on the complaint lodged by the 2nd respondent, a case in Crime No. 359 of 2024 was registered by the 1st respondent Police for the offence under Section 318(4) of BNS.

3. Learned counsel for the petitioner brought to the notice of this Court that in respect of a similar case, the 2nd respondent had filed a private complaint against the petitioner, claiming a cheque amount of Rs.11 lakhs, which was taken up in STC No. 251 of 2024 before the III Fast Track Court, Saidapet, Chennai and the said proceedings was disposed of based on the compromise reached between the parties and the petitioner had also settled the agreed sum of Rs.10 lakhs.

4. Heard the learned counsel for the petitioner and the learned Government Counsel for the 1st respondent and perused the materials on record.

5. The case is at the stage of investigation. In respect of this case as well, the parties have now amicably settled the issue among



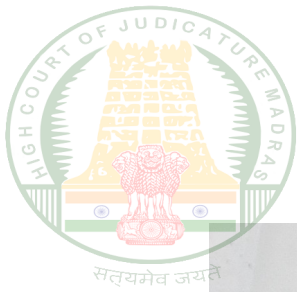
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themselves and therefore, they seek to quash the proceedings pending against the petitioner. Affidavits and a Joint Compromise Memo have been filed.

6. The petitioner and the *de facto* complainant/R2 appeared before this Court and were identified by Ms. Ramya Mitheeleash, WSSI 5598, T8 Guduvancherry Police Station.

7. On interaction by this Court, the *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.

8. The Joint Memo of compromise dated 26.03.2026 filed by the parties is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal jurisdiction)

Crl.O.P.No. _____ OF 2026

In
Crime.No.359 OF 2024
(On the file of the 1st Respondent Police)

Palanikumar, M/34 years,
S/o.Murugan,
No.53, Indira Gandhi Nagar,
Kayarambedu Village,
Guduvanchery, Chengalpattu

...Petitioner/Accused

-Vs-

1. The State Rep. By,
Inspector of Police,
Guduvanchery Police Station,
Chengalpattu District
(Crime No.359 of 2024)

...Respondent/Complainant

2. Mr.RaviChandran
S/o.Subramanian,
No.19/7, Kattabomman Street,
Ambal Nagar, Ekkatuthangal,
Chennai-32

...Respondent/De-facto Complainant

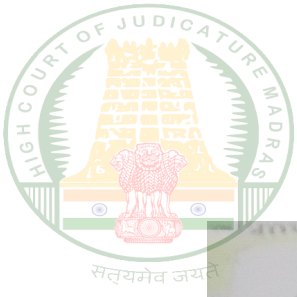
COMPROMISE MEMO

1. The petitioners and 2nd respondent joint together filed this compromise before this Hon'ble court. The 2nd respondent and the petitioner were settled the subject matter of the dispute of the case has been amicably out of court by receiving case Rs.10,00,000/- through cash and online on various date. Hence the petitioners and 2nd respondent joint together filed this compromise memo before this Hon'ble Court and not disclosing anything before this Hon'ble court.

2. The petitioner and 2nd respondent submit that the for the above said response, both are request to this Hon'ble kindly accepted this

By Palani Kumar

[Signature]



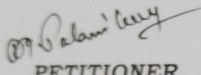
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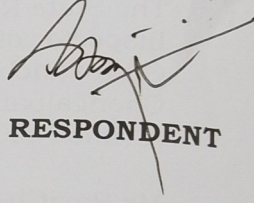
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compromise memo and quash the proceeding in Crime.No.359 of 2024
offences u/s.318(4) of BNSS pending investigation before the 1st
respondent.

Hence I prayed that this Hon'ble court may be pleased to accept
this compromise memo and quash the proceeding Crime.No.359 of
2024 offences u/s.318(4) of BNSS pending investigation and pass
such further other orders deem to fit and proper circumstance of the
case and thus render justice.

Dated at Chennai that this 26th day of March 2026


PETITIONER


2ND RESPONDENT



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9. Learned Government Counsel appearing on behalf of

the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

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



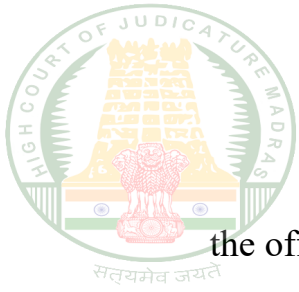
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interest even if they get settled between the parties, cannot be quashed by this Court.

11. In the present case, the offence in question is 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. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offence involved is 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 Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.359 of 2024 on the file of the 1st respondent Police.

12. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.359 of 2024 on the file of the 1st respondent police, is quashed. Connected miscellaneous petition is closed.

13. The affidavits and the Joint Memo of Compromise dated 26.03.2026 filed by the petitioner and the 2nd respondent for compromising



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the offence shall form part of the records.

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05.06.2026

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To

1. Inspector of Police,
Guduvanchery Police Station,
Chengalpattu District.
2. The Public Prosecutor,
High Court, Madras.

M. NIRMAL KUMAR,J.

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