



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9105 of 2026

WEB COPY

1. Ajith @Ajith Kumar
S/o.Murugan,
No. 226, Amman Koil Street,
Periyar Nagar, Thiruthani,
Tiruvallur District.
2. Rajan @ Raja
S/o.Venkatesalu,
Periyar Nagar, Thiruthani,
Tiruvallur District.
3. Dinesh @ Dinesh Kumar
S/o.Suresh Babu,
No. 120, Mel Nilai Thotti Valaivu Street,
Periyar Nagar, Thiruthani,
Tiruvallur District.

..Petitioner(s)

Vs

1. State Rep. by its
The Inspector of Police
Thiruthani Police Station,
Tiruvallur District.
2. Sarath
S/o.Kamalanathan,
No. 2/99-A, Big Street,
Murukkambattu,
Thiruthani Taluk,
Tiruvallur district.

..Respondent(s)



PRAYER: This criminal original petition filed under Section 528 of BNSS to call for the records relating to the case registered in Crime No. 77/2026 dt. 12.02.2026 pending on the file of 1st respondent police and quash the FIR the same and pass such further or other orders as this Honble Court.

For Petitioner(s): Mr.D.Dayalan

For Respondent(s): Mr.R. RAJASEKARAN
Govt. Advocate (CRL. SIDE) for R1

Mr. V.Divakar for R2

ORDER

The petitioner/accused 1 to 3 in crime No.77 of 2026 for offences under Sections 296 (b), 115(2), 118(1) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, filed this quash petition.

2. The case against the petitioners is that the second respondent/defacto complainant is a daily wage labourer at Bharath Gas Company in Tiruttani. On 26.12.2025, when the 2nd respondent borrowed sum of Rs.1,50,000/- from the 1st petitioner for Rs.100/- at a daily interest rate of 2%. Subsequently, on very next day, the 1st petitioner contacted through mobile phone and threatened the 2nd respondent stating that for sum of Rs.100/- at a daily interest rate of 10%. Then, the 1st petitioner demanded to give sum of Rs.15,000/- immediately today. On apprehension, the 2nd respondent sent money a sum of Rs.15,000/- via Google pay as he requested. Later, the 2nd respondent went to 1st petitioner's house and paid him. After that, the 1st petitioner along with 2nd and 3rd petitioners continuously harassed the 2nd respondent and his wife over through the phone.



Not only that, even after, the 2nd respondent had paid the interest to the sum of Rs.1,50,000/- to 1st petitioner. But the 1st petitioner claimed principal along with interest totally sum of Rs.4,50,000/- and called the 2nd respondent to his house to settle the accounts. When the 2nd respondent went there with his friend one Parthiban on his Pulsar bike, at the time, the 1st petitioner forcibly seized the bike and told to Parthiban, You can take your bike back only after 2nd respondent Sarath pays the money. Then, on 09.02.2026 at about 10.00 hrs, when the 2nd respondent was delivering cylinders in Thiruthani Mel Street at the time the 3rd petitioner one Dinesh snatched the phone from the 2nd respondent hand and told to meet 1st petitioner immediately. Subsequently, they took the 2nd respondent to 1st petitioner house. Then the petitioners joined together used filthy languages, caused hurt the 2nd respondent by using iron rod on his head and body. Hence, lodged a complaint.

3.The learned counsel appearing for the petitioners as well as the learned counsel for the defacto complainant submitted that the petitioners and the defacto complainant are residing in the same village and well known persons. Based on the advice of the elders and relatives, the petitioners and the 2nd respondent are entered into compromise. The 2nd respondent decided not to proceed further in this case and both the petitioners and the 2nd respondent undertake that both of them will not lodge any complaint against each other in future. In view of the same, the compromise quash petition has been filed along



with joint compromise memo, which scanned and reproduced hereunder;

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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Side Jurisdiction)

Cr.I.O.P.No. 9105 2026

in
Crime No.77 of 2026
(On the file 1st Respondent Police)

1. AJITH @ AJITH KUMAR, Male, aged about 27 years,
S/o. Murugan,
No.226, Amman Koil Street,
Periyar Nagar, Thiruthani,
Tiruvallur District.

2. RAJAN @ RAJA, Female, aged about 27 years,
S/o. Venkatesalu,
Balavinayagar Koil Street,
Periyar Nagar, Thiruthani,
Tiruvallur District.

3. DINESH @ DINESH KUMAR, Male, aged about 22 years,
S/o. Suresh Babu,
No.120, Mel Nilai Thotti Valaivu Street,
Periyar Nagar, Thiruthani,
Tiruvallur District.

...Petitioners / Accused No.1 to 3.

-Vs-

1. State rep by its,
The Inspector of Police,
Thiruthani Police Station,
Tiruvallur District.

... 1st Respondent / Complainant

2. SARATH, Male, aged about 25 years,
S/o/ Kamalanathan,
No.2/99-A, Big Street,
Murukkambattu,
Thiruthani Taluk, Tiruvallur District.

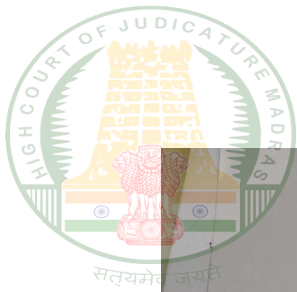
... 2nd Respondent / Defacto-Complainant

1. *M. Ajith Kumar*
2. *V. Rajan*
3. *S. Dinesh Kumar*
1st to 3rd PETITIONERS / ACCUSED No.1 to 3

L. Sarathi
2nd RESPONDENT / COMPLAINANT

Dayan. N
1206/04
COUNSEL FOR PETITIONERS

[Signature]
COUNSEL FOR 2nd RESPONDENT



**JOINT COMPROMISE MEMO FILED BY THE PETITIONERS
AND THE 2nd RESPONDENT**

The Petitioners and the 2nd Respondent / De-facto Complainant beg to submit as follows:-

1. The petitioners and 2nd respondent are residing in same village. There was a money dispute between 1st petitioner and 2nd respondent. Now, it was settled out of Court.
2. The petitioners and 2nd respondent have entered into a joint compromise that they are undertake and assure that they will not lodge any complaint against others in future.
3. The petitioners and 2nd respondent / Complainant submit that he filing this affidavit reporting the compromise and seeking quash the proceeding in F.I.R. No.77 of 2026 dated 12.02.2026 pending on the file 1st Respondent police.
4. The petitioners submit that prima facie the issue is money transaction dispute. Nevertheless the issue has been amicably settled between 2nd respondent and the petitioners and therefore the pendency of the case against the petitioners would not serve any use purpose.
5. The petitioners and 2nd respondent are come forward voluntarily and filing this Affidavit and Joint Compromise Memo without any coercion or undue influence.
6. The 2nd Respondent / De-facto Complainant have filed joint compromise memo before this Hon'ble High Court to quash the proceeding in F.I.R.No.77 of 2026 dated 12.02.2026 pending on the file of 1st Respondent Police.

1. *M. Rajeev Kumar*

2. *V. Raju*

3. *S. Dhruva*

1st to 3rd PETITIONERS / ACCUSED No. 1 to 3

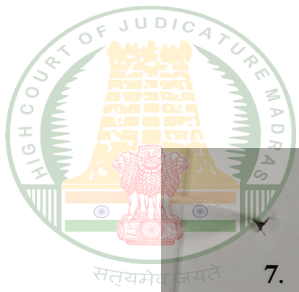
K. Sathish

2nd RESPONDENT / COMPLAINANT

Rajeshwari
12.06.2024

COUNSEL FOR PETITIONERS

[Signature]
COUNSEL FOR 2nd RESPONDENT



7. The 2nd Respondent / De-facto Complainant agree to appear before the Hon'ble High Court and give his consent for quashing the proceedings against the petitioner in F.I.R.No.77 of 2026 dated 12.02.2026 pending on the file of 1st Respondent Police.

8. The Petitioners and the 2nd Respondent / De-facto Complainant submit that both have voluntarily come forward and filing this Joint Compromise Memo without any coercion or undue influence.

It is therefore prayed that this Hon'ble Court in the interest of justice and secure ends of Justice may be pleased to accept the Joint Compromise Memo filed by the Petitioners and the 2nd Respondent / De-facto Complainant and give a quietus to the issue by quashing the proceeding in F.I.R.No.77 of 2026 dated 12.02.2026 pending on the file of 1st Respondent Police and thus render justice.

Dated at Chennai on this the 02nd day of April 2026.

1. *M. Ajith Kumar*

2. *V. Raja*

3. *S. Dhruva*

1st to 3rd PETITIONERS / ACCUSED

K. Sathya

2nd RESPONDENT / COMPLAINANT

Dayabon. n
1206/04
COUNSEL FOR PETITIONERS

MS 2607/2026
COUNSEL FOR 2nd RESPONDENT



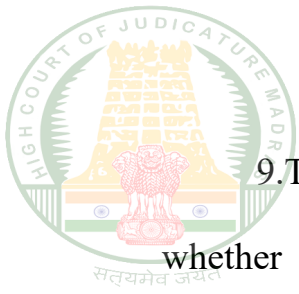
4.The learned Govt. Advocate (Crl.Side) appearing for the first respondent submitted that the parties are same village and known to each other. Though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

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

6.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.

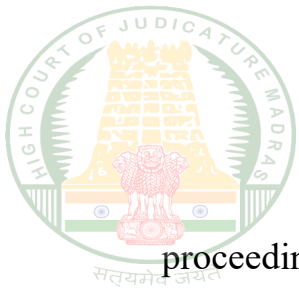
7.The petitioners and the de facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.G.Annadurai, SSI, D1, Tiruthani Police Station, Tiruvallur District.

8.On interaction by this Court, the defacto complainant stated that he has amicably settled the dispute with the petitioners and he 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 petitioners and the second respondent defacto complainant 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 in crime No.77 of 2026 on the file of the first respondent police.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.77 of 2026 pending on the file of the first respondent police, is quashed.

12. The affidavits and the Joint Compromise Memo filed by the petitioners and the second respondent defacto complainant for compromising the offences shall form part of the records.

05-06-2026

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

To

1. The Inspector of Police
Thiruthani Police Station,
Tiruvallur District.
2. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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05-06-2026