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CRL OP No. 14502 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 18-06-2026**

CORAM

**THE HON'BLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 14502 of 2026**

1. J. Manohar Singh
2. V.Vikram Kumar

..Petitioner(s)

Vs

1. The State rep.by,  
Inspector of Police,  
V-1 Villivakkam Police station,  
Chennai.

2. J.Ahammed Suhail

..Respondent(s)

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records in Crime No.110 of 2026 on the file of the respondent police V-1 Villivakkam Police Station, Chennai, and quash the proceedings pending against the petitioners.

For Petitioner(s):

Mr.G.Suresh

For Respondent(s):

Mr.R.Rajasekaran,  
Counsel for Government of Tamil Nadu  
(Criminal Side)



## ORDER

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The petitioners/accused in Crime No.110 of 2026 on the file of the respondent Police, registered for the offences under Sections 316(2) and 318(4) BNS, have filed the present quash petition.

2.The case of the prosecution is that, on 03.01.2026, A1 contacted the 2<sup>nd</sup> respondent/*de facto* complainant's firm and requested for delivery of 2 tons of copper valued approximately at Rs.21 Lakhs. On 05.01.2026, the *de facto* complainant transported the said goods from Puducherry to Chennai. After the goods were unloaded at a warehouse, the accused paid Rs.4 Lakhs in cash and promised to pay the remaining Rs.17 Lakhs via RTGS within three hours. Shortly thereafter, A1's mobile phone was switched off and the warehouse where the goods were unloaded was found locked. When enquired, the actual owner of the warehouse informed the *de facto* complainant that A1 had rented the warehouse only for two days by paying a small amount as advance and he had already cleared all the goods. When the *de facto* complainant questioned about the same to A2, A2 claimed that A1 was his employee. When A2's behaviour became evasive and hostile, the *de facto* complainant entertained a doubt and thereby, lodged a complaint with the 1<sup>st</sup> respondent Police alleging that the accused conspired to steal his goods through a fake business setup. On the basis of the complaint of the *de facto* complainant/2<sup>nd</sup> respondent herein, the



case in Crime No.110 of 2026 came to be registered as against the petitioners.

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3.By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Accordingly, the petitioners have filed the present quash petition accompanied with a joint compromise memo dated 09.04.2026 filed by A1 and A2 and the 2<sup>nd</sup> respondent/*de facto* complainant, which is scanned and reproduced hereunder :

**MEMORANDUM OF CRIMINAL ORIGINAL PETITION**  
(UNDER SECTION 528 OF B.N.S.S)  
**IN THE HONOURABLE HIGH COURT OF JUDICATURE AT**  
**MADRAS**  
(ORDINARY ORIGINAL CRIMINAL JURISDICTION)

CRL.O.P.NO. 14502 OF 2026  
IN

**CRIME. NO. 110 OF 2026**

(ON THE FILE OF INSPECTOR OF POLICE V-1 VILLIVAKKAM POLICE  
STATION, CHENNAI)

1. J. MANOHAR SINGH, (M/38)  
S/O. JOR SINGH,  
Cota ka vas, Bharoori, Jalor,  
Rajasthan - 343029.
2. V. VIKRAM KUMAR, (M/25)  
S/O VIRA RAM,  
Permanantly Residing at : Aatmna rebariyo ki Dhaani,  
Bhinmal, Jalor, Rajasthan - 343029.  
Temporarily Resided at : No: 530, 5<sup>th</sup> Block, Jain Terapanth Nagar,  
Lotus Colony, Madhavaram, Chennai – 600053.

...PETITIONERS/ACCUSED

-VS-

1. THE STATE REP BY  
INSPECTOR OF POLICE,  
V-1 VILLIVAKKAM POLICE STATION,  
CHENNAI.

... 1<sup>ST</sup> RESPONDENT/ COMPLAINANT

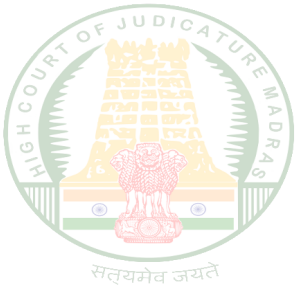
2. J. AHAMMED SUHAIL, (M/24)  
S/O. JALAL,  
No: 7, Masudhi Street, padi,  
Tiruvallur District,  
Tamil Nadu - 600050.

...2<sup>ND</sup> RESPONDENT/DE-FACTO-COMPLAINANT

*Manohar Singh*

*Vikram Kumar*

*J. Subb*



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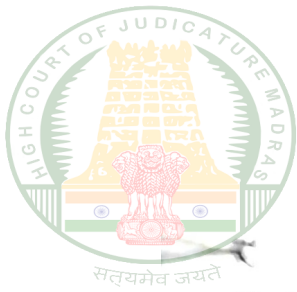
**JOINT COMPROMISE MEMOFILED BY**

**THE PETITIONERS AND THE DEFACTO COMPLAINANT**

The Petitioner and the Victim / Defacto Complainant begs to submit as follows:

1. The petition filed for compromise quash pertains to Crime No: 110/2026 On the file of the respondent police V-1 Villivakkam Police Station, Chennai.
2. The alleged offence falls under Section 316 (2) & 318 (4) of BNS Act, 2023.
3. The Defacto Complainant, aged about 25 years and he has voluntarily come forward and expressed her willingness to compromise the matter.
4. Both the Defacto Complainant and the Petitioners/Accused share a mutual desire to move forward with a peaceful life.
5. Both parties fully understand the implications and consequences of this Joint Compromise Memo and the potential quashing of the criminal proceedings.
6. The Defacto Complainant affirms that his decision to compromise and proceed with the quash petition is free from any coercion, undue influence, threat, or promise from any party.

*Handwritten signatures:*  
M. V. S. S. S.  
U. K. S. S. S.  
J. S. S. S.



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Under the above circumstances, it is prayed that this Hon'ble court may be pleased to accept my Affidavit and quash the proceedings pending against the Petitioner in Crime No: 110/2026 On the file of the respondent police V-1 Villivakkam Police Station, Chennai and thus render Justice.

Dated at Chennai this the 9<sup>th</sup> day of April 2026.

**COUNSEL FOR PETITIONER**

**1<sup>ST</sup> PETITIONER/ACCUSED**

**2<sup>ND</sup> PETITIONER/ACCUSED**

**DEFACTO COMPLAINANT**

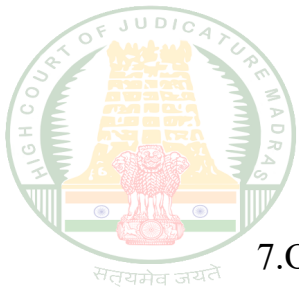


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4.Learned counsel for the petitioners submitted that the parties were not strangers and were engaged in a commercial trade of goods (copper). During a business transaction for purchase of 2,000 kg of copper for a value of Rs.21 Lakhs, the accused *bona fidely* paid a sum of Rs.4 Lakhs as an initial payment and thereafter, the remaining sum of Rs.17 Lakhs was promised to be paid through RTGS. However, inadvertently, after the payment, the contact between the seller and buyer was lost or disrupted immediately. However, subsequently, the parties have arrived at an amicable settlement and now, they have compromised the matter among themselves. The petitioners have also filed individual affidavits to that effect.

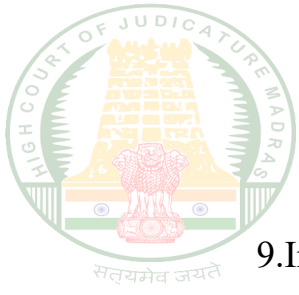
5.Learned counsel for the *de facto* complainant/2nd respondent submitted that, in order to ensure the well-being and peaceful future, the 2<sup>nd</sup> respondent is willing to compromise the matter. The 2<sup>nd</sup> respondent/*de facto* complainant has also filed an individual affidavit to that effect.

6.Today, the petitioners (A1 and A2) and the *de facto* complainant appeared before this Court and they are identified by Mr.T.Krishnamoorthi, Sub-Inspector of Police, V1 Villivakkam Police Station. The parties have expressed their willingness to compromise the matter and compound the offences pending against the accused.



7. One important 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 petitioners. 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.

8. However, in the present case, the offence in question is a commercial transaction between two individual parties and they have now come forward to settle the matter amicably. Therefore, quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing the criminal proceedings. In view of the above, this Court is inclined to quash the proceedings pending against the petitioners.



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9. In view of the above, this Criminal Original Petition is allowed and the case as against the petitioners in Crime No.110 of 2026 on the file of the 1<sup>st</sup> respondent Police, is hereby quashed. The joint compromise memo filed by the parties and the individual affidavits filed by the parties shall form part of the records.

**18-06-2026**

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

MKN

To

1. The Inspector of Police,  
V-1 Villivakkam Police station,  
Chennai.

2. The Public Prosecutor,  
High Court, Madras.



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**M.NIRMAL KUMAR J.**

**MKN**

**CRL OP No. 14502 of 2026**

**18-06-2026**