



Crl.O.P. No.10287 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 10287 of 2026

1. Appun @ Prabhu
2. Udhaya
3. Appash
4. Akash
5. Manikandan

..Petitioners

Vs.

1. State rep. by
The Inspector of Police,
Manavala Nagar Police Station,
Thiruvallur District.

2. Lakshmipathi

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to quash the proceedings in C.C. No. 456 of 2025 on the file of Judicial Magistrate No.II, Thiruvallur, arising out of Crime No. 168 of 2019 on the file of the 1st respondent Police, as against the petitioners herein and consequently record abatement of proceedings as against A-3 (Rohith).



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For Petitioners	::	Mr.D. Ragul
For Respondents	::	Mr.R. Rajasekaran Counsel for Govt. of Tamil Nadu (Crl.Side) for R1

O R D E R

This criminal original petition is filed to quash the proceedings in C.C. No. 456 of 2025 on the file of Judicial Magistrate No.II, Thiruvallur, arising out of Crime No. 168 of 2019 on the file of the 1st respondent Police, as against the petitioners herein and consequently record abatement of proceedings as against A-3 (Rohith).

2. The case of the prosecution is that on 04.05.2019, at about 9a.m., the de facto complainant\2nd respondent happened to see the petitioners along with A3 consuming alcohol inside the premises of a Government School and when the 2nd respondent questioned them as to how they could consume alcohol inside the school premises, the petitioners along with A3 abused the 2nd respondent in filthy language, tore his shirt, attacked him with wooden logs and kicked him several times. They also threatened the de facto complainant with dire consequences if he interfered in their affairs. Hence,



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the complaint. Pursuant to the complaint lodged, a case in Crime No. 168 of 2019 came to be registered for offences under Sections 294(b), 324 and 506(ii) IPC by the 1st respondent Police. On completion of investigation, charge sheet was filed listing 7 witnesses and the same was taken cognizance in C.C. No. 456 of 2025 by the learned Judicial Magistrate No.II, Thiruvallur.

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

4. The case is at the stage of trial. The parties have now amicably settled the issue among themselves and therefore, they seek to quash the proceedings pending against the petitioners. Affidavits and a Joint Compromise Memo have been filed.

5. It is brought to the notice of this Court that the 3rd accused, namely, Rohith, died during the pendency of the proceedings. In



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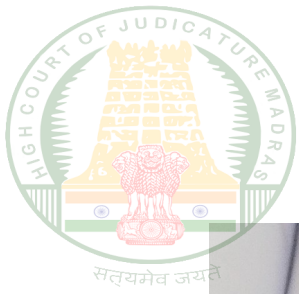
view of the same, the case as against A3 would stand abated.

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6. The petitioners and the *de facto* complainant/R2 appeared before this Court.

7. On interaction by this Court, the *de facto* 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.

8. The Joint Memo of compromise dated 10.04.2026 filed by the parties is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

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CC.456 of 2025

1. Appun @ Prabhu, (Male, aged 26 years),
S/o Kumar,
No. 263, Mariyamman Kovil Street,
Polivakkam,
Tiruvallur District – 602002.

... Petitioner / Accused No.1

2. Udhaya, (Male, aged 28 years),
S/o Gopi,
No. 114, Vinayagar Koil Street,
Polivakkam,
Tiruvallur District – 602002.

... Petitioner / Accused No.2

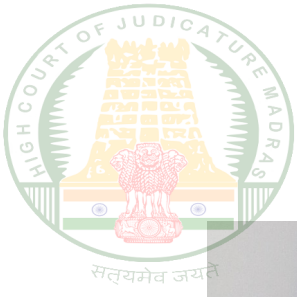
3. Appash, (Male, aged 29 years),
S/o Kumar,
No. 129, Vinayagar Kovil Street,
Polivakkam,
Tiruvallur District – 602002.

... Petitioner / Accused No

4. Akash, (Male, aged 27 years),
S/o Kathirvel,
No. 1/123, Vinayagar Kovil Street,
Polivakkam,
Tiruvallur District – 602002.

... Petitioner / Accused

5. Manikandan, (Male, aged 30 years),
S/o Gopi,
No. 114, Vinayagar Koil Street,



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Thiruvallur,
Petitioner / Accused - 602002.

... Petitioner / Accused No.6

Vs

Joint represented by
the Inspector of Police,
Mehar Nagar Police Station,
Thiruvallur District.
Complainant

... 1-st Respondent/Defacto

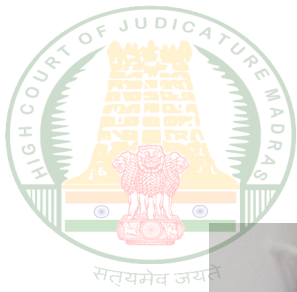
LAKSHMIPATHI (SS)
(S/o) KUPENTHIRAN
PALLANAR KOVIL STREET,
POLIVAKKAM VILLAGE,
THIRUVALLUR

... 2-nd Respondent/Defacto Complainant

JOINT MEMO OF COMPROMISE

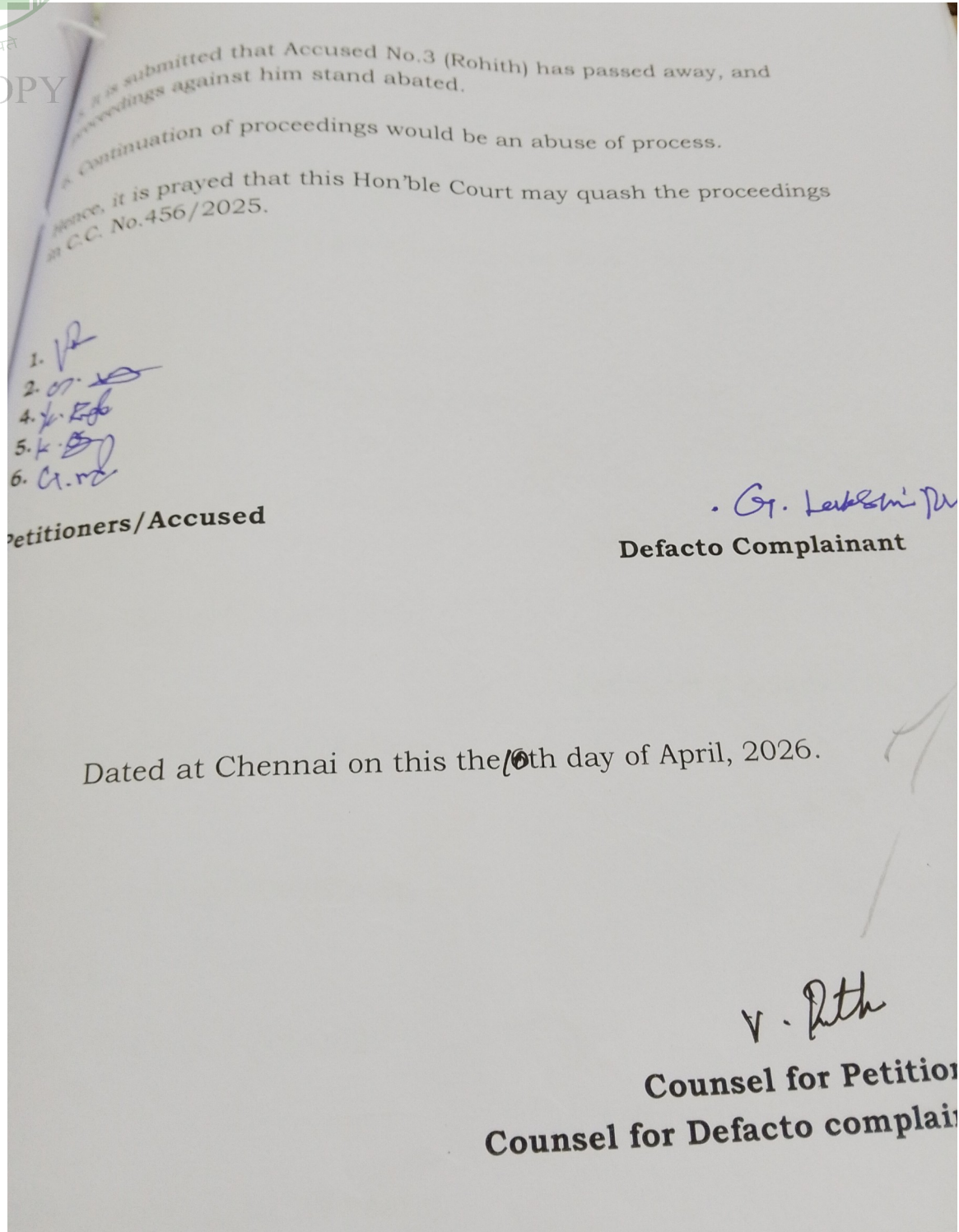
The Petitioners/Accused and the Defacto Complainant submit:

1. The case in C.C. No.456/2025 arises out of Crime No.168/2019 for offences under Sections 294(b), 324, 506(ii) IPC.
2. The matter is pending before Judicial Magistrate No.II, Thiruvallur.
3. The parties have amicably settled the dispute.
4. The defacto complainant has no objection for quashing the charge sheet.



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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 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



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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 offences in question is purely individual/personal in nature. It involves dispute between the petitioners 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 continuing with the proceedings 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 Gujarat)**, this Court is inclined to quash the proceedings pending against the petitioners in C.C.No.456 of 2025 on the file of Judicial Magistrate No.II, Thiruvallur, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

12. This Criminal Original Petition stands allowed and the proceedings in C.C. No. 456 of 2025 pending on the file of Judicial Magistrate No.II, Thiruvallur, is quashed as against the petitioners.



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M. NIRMAL KUMAR,J.

nv

13. The affidavits and the Joint Memo of Compromise dated 10.04.2026 filed by the petitioners and the 2nd respondent for compromising the offences shall form part of the records.

05.06.2026

nv

To

1. The Judicial Magistrate No.II, Thiruvallur.
2. The Inspector of Police,
Manavala Nagar Police Station,
Thiruvallur District.
3. The Public Prosecutor, High Court,
Madras.

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