



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

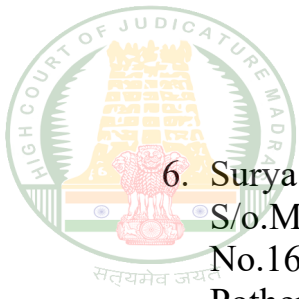
CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9913 of 2026

1. Prakashraj
S/o.Siva,
No.17,1st Street,
Kamalammal Nagar,
Kathivakkam,
Enore Thermal Station,
Tiruvallur -600 057.
2. Prithiviraj
S/o.Sankar,
No. 100, Mariyamman Kovil St,
Pattaravakkam,
Tiruvadisoolam,
Chengalpattu 603 108.
3. Ramachandran
S/o.Parthiban,
No. 41, Pillayar Kovil St,
Tiruvadisoolam Post,
Pattaravakkam,
Chengalpattu 603 108.
4. Kanitan Fernando
S/o.John Bosco,
No. 116, Thanthoni Amman Kovil St,
Tiruvadisoolam Post,
Pattaravakkam,
Chengalpattu 603 108.
5. Ajay
S/o.Krishnan,
No.105, Pillayar Kovil St,
Tiruvadisoolam Post,
Pattaravakkam,
Chengalpattu 603 108.

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6. Surya
S/o.Murugan,
No.16, Kalaignar St,
Potheri Maraimalai Nagar,
Kattankolathur,
Chengalpattu.

..Petitioner(s)

Vs.

1. The Special Sub Inspector of Police
D2 Chengalpattu Taluk Police Station,
Chengalpattu District.
Crime No. 345/2025.
2. D.Thanush
S/o.Dheenathayalan,
No.1, Pillayar Koil St,
Kunnavakkam and Post,
Chengalpattu District.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records relating to the proceedings in Crime No. 345/2025 on the file of Special Sub Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu District and quash the proceedings therein pending against the petitioners herein and pass such further or other orders.

For Petitioner(s): Mr.R.T.Vijayaraaghavan

For Respondent(s): Mr. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP for R1
Mr.R.Narayanan For R2

ORDER

The Criminal Original Petition has been filed seeking to quash all further proceedings in Crime No.347 of 2022, on the file of the 1st respondent police as



against the petitioners, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

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2. The case of the prosecution is that on 25.05.2025 one Raman had questioned the some unknown persons when they are having liquor near the Ponniamman Koil. On the same day at about 10.30 pm, the petitioners/accused persons came near the house of the defacto complainant and started scolding the said Raman, who is standing nearby. When the defacto complainant questioned the same, the petitioners started scolding him and attacked him with wooden log. Due to which the defacto complainant sustained internal injuries. Hence the complaint.

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

4. Based on the complaint given by the *de facto* complainant/second respondent, a case in Crime No.345 of 2025 registered on the file of the first respondent Police against the petitioners, for the offence under Sections 191 (2), 191 (3), 296(b), 118 (1), 351 (3) of I.P.C.

5. The learned counsel appearing for both the petitioners and the *de facto* complainant submitted that the parties have now amicably resolved their dispute and the *de facto* complainant also agreed to withdraw the complaint lodged



against the petitioners.

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6. As the parties have now amicably settled the issue among themselves, they seek to quash the First Information Report as against the petitioners. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

7. The petitioners and the *de facto* complainant/second respondent are present before this Court and they were identified by the first respondent Police.

8. On being enquired by this Court, the parties confirmed the compromise entered between them. 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.

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 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.

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 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 First Information Report in Crime No. 345/2025 on the file of Special Sub Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu District, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, the Criminal Original Petition is allowed and the First Information Report in Crime No. 345/2025 on the file of Special Sub Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu District, is quashed as against the petitioners. The petitioners are discharged of all the charges.



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

24-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Special Sub Inspector of Police
D2 Chengalpattu Taluk Police Station,
Chengalpattu District.
Crime No. 345/2025.
2. The Public Prosecutor
High Court of Madras.



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M.NIRMAL KUMAR, J.

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