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Crl.O.P. No.10757 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P. No. 10757 of 2026

Hariharasudhan

..Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
T5 – Vaanagaram Police Station,
Koyambedu District,
(Crime No. 56 of 2026).

2. Vinai Anand

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the entire records connected with FIR in Crime No. 55 of 2026 dated 24.02.2026 under Sections 126(2), 296(b) and 115(2) of Bharatiya Nyaya Sanhita (BNS) pending investigation on the file of 1st respondent Police and quash the same.

For Petitioner :: Mr.K. Sakthivel

For Respondens :: Mr.R. Rajasekaran
Counsel for Govt. of Tamil Nadu
(Crl.Side) for R1
Mr.P. Balaji for R2



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ORDER

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The present criminal original petition is filed to call for the entire records connected with FIR in Crime No. 55 of 2026 dated 24.02.2026 under Sections 126(2), 296(b) and 115(2) of Bharatiya Nyaya Sanhita (BNS) pending investigation on the file of 1st respondent Police and quash the same.

2. The case of the prosecution is that the 2nd respondent and the petitioner are neighbours. There was some dispute between the mother of the petitioner and the mother of the de facto complainant/2nd respondent. On the date of occurrence, ie., on 23.02.2026 also, there was some dispute between the mother of the petitioner and that of the de facto complainant earlier in the day and in the evening when the de facto complainant/2nd respondent and his brother returned from College, the petitioner is said to have questioned them regarding the conduct of their mother and assaulted them, due to which they suffered injuries. Hence, the complaint. Based on the complaint, a case in Crime No. 55 of 2026 came to be registered for offences under Sections 126(2), 296(b) and 115(2) of Bharatiya Nyaya Sanhita (BNS) by the 1st respondent Police.



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3. Learned counsel for the petitioner submitted that the petitioner and the 2nd respondent are neighbours and the occurrence had taken place purely due to a misunderstanding and sudden loss of emotional control and that the parties have now amicably settled the dispute among themselves.

4. Learned counsel for the 2nd respondent would also submit that the parties have come to an amicable settlement and that the 2nd respondent is willing to withdraw the complaint.

5. Learned Government Counsel for the 1st respondent would submit that it is a matter of case and counter and the petitioner has also lodged a complaint as against the 2nd respondent and his brother with regard to the very same occurrence, which has been registered in Crime No. 56 of 2026 on the file of the 1st respondent Police.

6. Heard the learned counsel for the petitioners, learned counsel for the 2nd respondent and the learned Government Counsel for the 1st respondent.

7. The case is at the stage of investigation. Since the parties have now amicably settled the issue among themselves, they seek to



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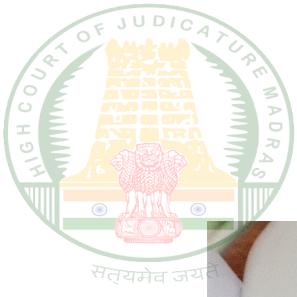
quash the proceedings pending against the petitioner. Affidavits and a Joint

Compromise Memo have been filed.

8. The petitioner and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel.

9. 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.

10. The Joint Memo of compromise dated 15.04.2026 filed by the parties is scanned and reproduced below:



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IN THE OF JUDICATURE AT MADRAS
(Criminal Side Jurisdiction)

Crl.O.P. No. 10757 of 2025

against

Crime No. 55 of 2026

(on the file of 1st Respondent Police)

Hariharasudhan, Age: 33
S/o Udhayasuriyan,
No: 103, 2nd Cross Street,
Ashok Nandhavanam, Noombal,
Tiruvallur - 600077.

... Petitioner/Accused

-Vs-

The State represented by,
The Inspector of Police,
T5- Vaanagaram Police Station,
Koyambedu District.
(Crime No. 55 of 2026).

...1st Respondent/Complainant

Vinai Anand,
S/o. Anand,
No:104, Noombal,
Ashok Nanthavanam, Phase-II,
Tiruvallur - 600077.

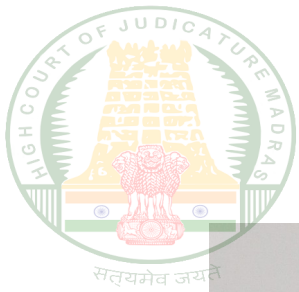
.... 2nd Respondent/De-Facto Complainant

JOINT COMPROMISE MEMO
FILED BY THE PETITIONER AND 2ND RESPONDENT

1. The Petitioner herein and the 2nd Respondent herein are herewith presenting this Joint Compromise memo in support of the Memorandum of Criminal Original Petition against the FIR in Crime No. 55 of 2026 on the file of the 1st Respondent is sought to be quashed.
2. It is submitted that on the complaint made by the 2nd Respondent before the 1st Respondent police, an FIR in Crime No. 55 of 2026 dated 24.02.2026 under Sections 126(2), 296(b) and 115(2) of the Bharatiya Nyaya Sanhita (BNS) has been registered on the file of the 1st Respondent Police.

C. Sudhan

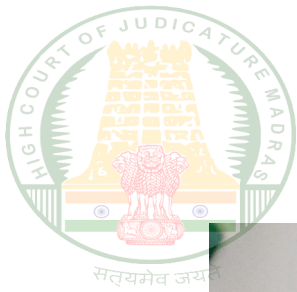
Vinai Anand



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3. It is respectfully submitted that the Petitioner and the 2nd Respondent were acquainted with each other. The said occurrence had taken place due to misunderstanding and momentary emotional imbalance of the Petitioner and the 2nd Respondent, However, the both the Petitioner and the 2nd Respondent have now realized their mistake, acknowledged the gravity of the same and has expressed their sincere remorse and regret for the incident.
4. It is respectfully submitted that the Petitioner and the 2nd Respondent jointly states that after due deliberation and intervention of elders and well-wishers, the Petitioner and the 2nd Respondent have voluntarily decided to amicably resolve the dispute. They have come to an understanding that the said occurrence arose purely out of a misunderstanding and emotional imbalance.
5. It is respectfully submitted that the Petitioner undertakes that he shall not in any manner whatsoever, cause any harm, harassment or hindrance to the 2nd Respondent in future. Further, the relatives and well-wishers of the Petitioner also undertake to monitor his conduct.
6. It is respectfully submitted that the 2nd Respondent hereby undertakes to withdraw and not to pursue the allegations made against the Petitioner in respect of the aforesaid occurrence and further undertakes not to raise any fresh complaint or allegation against Petitioner in respect of the same cause of action.
7. It is respectfully submitted that both the Petitioner and the 2nd Respondent have amicably reconciled over the dispute. It is respectfully submitted that the 2nd Respondent/De-facto Complainant, having no further grievance and acting in a spirit of compromise, submits that he has no objection for the quashing of the Impugned FIR registered as Crime No. 55 of 2026 on the file of the 1st Respondent police station as against the Petitioner.



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8. It is respectfully submitted that the Joint Compromise Memo has been arrived at without any coercion, force or undue influence and it has been arrived at with the full knowledge and consent of the parties herein.

9. It is respectfully submitted that the compromise memo dated 15.04.2026, entered into between the Parties herein are reduced into writing by way of this Joint Compromise Memo and the parties to the Petition to Quash along with the respective Counsel have signed the same, agreeing to the filing of the quash petition by both parties and express their unconditional willingness to get the case quashed which is registered based on the complaint preferred by the De-facto Complainant.

Dated at Chennai on this the 15th day of April, 2026.

2ND RESPONDENT

PETITIONER

COUNSEL FOR PETITIONER

COUNSEL FOR 2ND RESPONDENT



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11. 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.

12. 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.



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13. In the present case, the offences in question are 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 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 in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.55 of 2026 on the file of the 1st respondent Police.

14. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.55 of 2026 on the file of the 1st respondent police, is quashed.

15. The affidavits and the Joint Memo of Compromise dated 15.04.2026 filed by the petitioner and the 2nd respondent for compromising the offences shall form part of the records.

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05.06.2026

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To

1. The Inspector of Police,
T5 – Vaanagaram Police Station,
Koyambedu District.
2. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR,J.

nv

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