



Crl.O.P.Nos.10404, 10414 and 10420 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 24.04.2026

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.10404, 10414 and 10420 of 2026
& Crl.M.P.Nos.7432, 7435 and 7438 of 2026

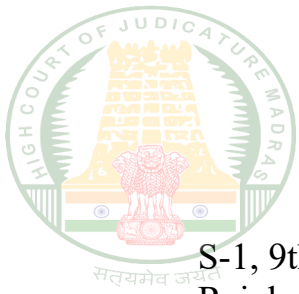
Crl.O.P.No.10404 of 2026:

1. Kalaivani
W/o. Arun,
S-1,9th Cross, Malar Dew Apartment,
Rainbow Nagar, Grand Bazar,
Puducherry - 605 011.
2. Sumathi
W/o. Raji,
No.19, 5th Cross, Sakthi Nagar,
Puducherry- 605 013.
3. Karthiga
D/o. Raji,
No.19, 5th Cross, Sakthi Nagar,
Puducherry - 605 013.

.. **Petitioners**

Vs.

1. The Inspector of Police
Grand Bazar Police Station,
Puducherry - 605 011.
2. K.Renganayaki
W/o. Pasupathi,
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S-1, 9th Cross, Malar Dew Apartment,
Rainbow Nagar, Grand Bazar,
Puducherry - 605 011.

3. Arun
S/o. Pasupathi,
S-1, 9th Cross, Malar Dew Apartment,
Rainbow Nagar, Grand Bazar,
Puducherry - 605 011.

.. **Respondents**

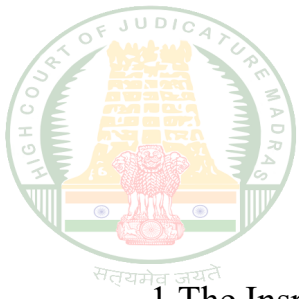
PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the entire records in Cr.No.138/2023 pending on the file of the 1st respondent and quash the same for the reasons stated above and pass such further or other orders.

For the Petitioners : Mr.Baskar .A
For the Respondents : Mr.M.V.Ramachandra Murthy
Public Prosecutor (Pondy) for R1
Mr.J.John Harrison for RR2 and 3

Crl.O.P.No.10414 of 2026:

1. Arun
S/o.Pasupathi,
S-1, 9th Cross,
Malar Dew Apartment, Rainbow Nagar,
Grand Bazar, Puducherry - 605 011.
2. K.Renganayaki
W/o.Pasupathi,
S-1, 9th Cross, Malar Dew Apartment,
Rainbow Nagar, Grand Bazar,
Puducherry - 605 011.

.. **Petitioners**



Crl.O.P.Nos.10404, 10414 and 10420 of 2026

Vs.

1. The Inspector of Police,
Grand Bazar Police Station,
Puducherry - 605 011.

2. Kalaivani
W/o. Arun,
S-1, 9th Cross,
Malar Dew Apartment,
Rainbow Nagar,
Grand Bazar,
Puducherry - 605 011.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the entire records in Cr.No.122/2022 pending on the file of the 1st respondent and quash the same and pass such further or other orders.

For the Petitioners : Mr.J.John Harrison

For the Respondents : Mr.M.V.Ramachandra Murthy
Public Prosecutor (Pondy) for R1
Mr.Baskar .A for R2

Crl.O.P.No.10420 of 2026:

1. Arun
S/o.Pasupathi,
S-1, 9th Cross,
Malar Dew Apartment,
Rainbow Nagar,
Grand Bazar,
Puducherry - 605 011.

2. K.Renganayaki
W/o.Pasupathi,

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S-1, 9th Cross, Malar Dew Apartment,
Rainbow Nagar, Grand Bazar,
Puducherry - 605 011.

.. **Petitioners**

Vs.

1.The Inspector of Police,
Grand Bazar Police Station,
Puducherry - 605 011.

2. Kalaivani
W/o. Arun,
S-1, 9th Cross, Malar Dew Apartment,
Rainbow Nagar, Grand Bazar,
Puducherry - 605 011.

3. Sumathi
W/o. Raji,
No.19, 5th Cross, Sakthi Nagar,
Puducherry- 605 013.

4. Karthiga
D/o. Raji,
No.19, 5th Cross, Sakthi Nagar,
Puducherry - 605 013.

.. **Respondents**

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the entire records CC.No.176/2024 in the file of Judicial Magistrate II, Puducherry, and quash the same and pass such further or other orders.

For the Petitioners : Mr.J.John Harrison

For the Respondents : Mr.M.V.Ramachandra Murthy
Public Prosecutor (Pondy) for R1
Mr.Baskar .A for R2



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COMMON ORDER

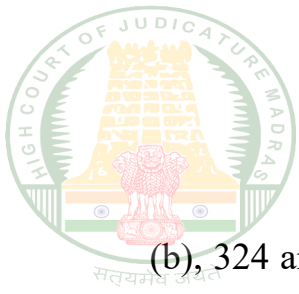
The Criminal Original Petitions have been filed seeking to quash all further proceedings in Cr.Nos.138 of 2023, 122 of 2022 on the file of the 1st respondent – police and C.C.No.176 of 2024 on the file of the Judicial Magistrate Court – II, Puducherry, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant.

2. The petitioner – Arun and the defacto complainant – Kalaivani got married in the year 2015 and they have two male children, born out of the wedlock. It is alleged that initially the couple lived together without any issues, but from the year 2018 onwards, matrimonial disputes arose between them, due to which the defacto complainant frequently left the matrimonial home and stayed at her parents house. Hence, there are cases and counter cases filed against each other.

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

4. Based on the complaint dated 19.05.2022 lodged by the defacto complainant, a case in Crime No.122 of 2022 was registered on the file of the 1st respondent Police, against the petitioner – Arun, for the offence under Sections 294

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(b), 324 and 34 of IPC. Another complaint dated 22.05.2023 given by the mother of the petitioner – Ranganayaki, a case in Crime No.138 of 2023 was also registered on the file of the 1st respondent Police against the defacto complainant for the offence under Sections 323, 324, 294(b), 447, 380 and 34 of I.P.C. Further, for the very same allegations, a case in Crime No.100 of 2023 was registered against the petitioner – Arun and the same was taken on file as C.C.No.176 of 2023, after filing the final report, for the alleged offences under Section 294 (b), 323, 324 and 506 (ii) of IPC.

5. The learned counsel appearing for both the petitioners and the *de facto* complainant submitted that on the advice of the friends, relatives and well-wishers, the parties have now amicably resolved their dispute and the *de facto* complainant as well as the petitioners also agreed to withdraw the complaint lodged against each other.

6. As the parties have now amicably settled the issue among themselves, they seek to quash the First Information Report as well as the C.C.No.176 of 2024 as against the petitioners and the defacto complainant. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

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7. The petitioners and the *de facto* complainant are present before this Court and they were identified by the 1st respondent Police.

8. On being enquired by this Court, the parties confirmed the compromise entered between them. The *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she 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



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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 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 First Information Reports in Crime Nos.138 of 2023, 122 of 2022 pending on the file of the 1st respondent police and C.C.No.176 of 2024 on the file of the Judicial Magistrate II, Puducherry, in exercise of its jurisdiction under Section 482 of Cr.P.C./Section 528 of BNSS.

11. Accordingly, the Criminal Original Petitions are allowed and the First Information Reports in Crime Nos.138 of 2023, 122 of 2022 pending on the file of the 1st respondent police and C.C.No.176 of 2024 on the file of the Judicial Magistrate II, Puducherry, are quashed as against the petitioners as well as the defacto complainant. The petitioners/defacto complainant are discharged of all the charges. The connected miscellaneous petitions are closed.

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

24-04-2026

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

Jer

To

1. The Judicial Magistrate II, Puducherry.
2. The Inspector of Police,
Grand Bazar Police Station,
Puducherry - 605 011.
3. The Public Prosecutor
High Court of Madras.



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M.NIRMAL KUMAR, J.

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& Crl.M.P.Nos.7432, 7435 and 7438 of 2026

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