



Crl.O.P. No. 10631 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. 10631 of 2026

1. Balaji M.
2. Narasimman ..Petitioners

Vs.

1. The State rep. by
Inspector of Police Station,
T-4, Madhuravoyal Police Station,
Koyambedu, Chennai.
2. Sureshkumar ..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to
quash the FIR in Crime No. 289 of 2026 on the file of T-4, Madhuravoyal
Police Station, Koyambedu, Chennai.

For Petitioners :: Mr.Krishnasamy Chinnasamy for
Mr.R. Yash Rathi

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



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ORDER

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This criminal original petition is filed to quash the FIR in Crime No. 289 of 2026 on the file of T-4, Madhuravoyal Police Station, Koyambedu, Chennai.

2. The case of the prosecution is that the 2nd respondent/de facto complainant had obtained a loan of Rs.2,10,000/- from the 1st petitioner in January, 2026 and promised to repay the same by the 1st week of April, 2026. The 2nd respondent also made part payments subsequently to the tune of Rs.70,000/- leaving a balance of Rs.1,50,000/-. As the 2nd respondent failed to pay the balance of Rs. 1,50,000/- by 1st week of April, 2026, the petitioners approached him on 11.04.2026 and demanded repayment of the amount due. As the 2nd respondent expressed his inability to pay the amount, a dispute arose between them. The petitioners abused him in filthy language, forcibly took him in a car and assaulted him with weapons and hands. At that time, the 2nd respondent sought help from one of his friends and repaid a sum of Rs.50,000/- thereafter which the petitioners threatened him that if he failed to pay the remaining amount within a week, then he would be done away with. Hence, the complaint. Based on the



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complaint, a case in Crime No. 289 of 2026 came to be registered by the 1st respondent Police for offences under Sections 296(b), 115(2), 118(1), 140(2), 127(2), 351(2) of BNS.

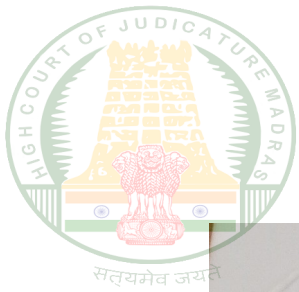
3. Heard the learned counsel on either side and perused the materials on record.

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

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by Mr.S. Suthakar, PC 50195, T-4 Maduravoyal Police Station.

6. 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.

7. The Joint Memo of compromise dated 17.04.2026 filed by the parties is scanned and reproduced below:



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IN THE HON'BLE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Original Jurisdiction)

Crl. O.P. No. 10631 of 2026

Against

Crime No.289 of 2026

[On the file of the T-4, Madhuravoyal Police Station, Koyambedu, Chennai]

1. **BALAJI.M** M/A 31 years,
S/o. Madhavan,
No. 4, Gejalakshmi Street,
Kadampadi Amman Nagar,
Metukuppam, Nerkundram,
Tamil Nadu - 600 107.

2. **NARASIMMAN,** M/A 32 years,
S/o. Chandran,
Thirumalai Street,
Meenatchi Amman Nagar,
Alwarthirunagar,
Chennai - 600 087.

...Petitioners / Accused No.1 & 2

- VERSUS -

1. **THE STATE REP BY,**
Inspector of Police Station,
T-4, Madhuravoyal Police Station,
Koyambedu, Chennai.

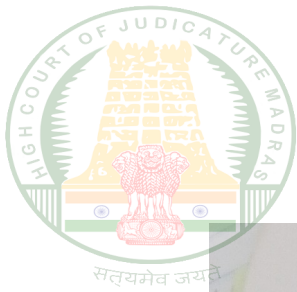
...1st Respondent/Complainant

2. **SURESHKUMAR,**
S/o. Krishnan,
No. 305/3A, Arundhathiyar Colony,
Veerichttipalli,
Gudiyatham, Gutlavari Palli,
Vellore,
Tamil Nadu - 632603.

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

S. Suresh Kumar

Arjun C. Dhanu

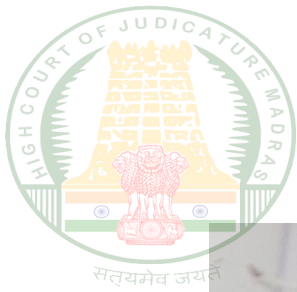


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JOINT COMPROMISE MEMO

We, (1) **BALAJI.M** S/o. Madhavan, Male aged about 31 years, residing at No. 4, Gejalakshmi Street, Kadampadi Amman Nagar, Metukuppam, Nerkundram, Tamil Nadu - 600 107; (2) **NARASIMMAN**, S/o. Chandran, Male aged about 32 years, residing at Thirumalai Street, Meenatchi Amman Nagar, Alwarthirunagar, Chennai - 600 087; (3) **SURESHKUMAR**, S/o. Krishnan, Male aged about 35 years, residing at No. 305/3A, Arundhathiyar Colony, Veerichittipalli, Gudiyatham, Gutlavari Palli, Vellore, Tamil Nadu - 632603; do hereby solemnly affirm and sincerely state as follows,

1. It is submitted that we are the parties to the proceedings herein and we are well acquainted with the facts and circumstances of this case.
2. We state that the 1st Respondent has registered a case as against Petitioners, for alleged offences under Sections 296(b); 115(2); 118(1); 140(2); 127(2) and 351(2) of The Bharatiya Nyaya Sanhita (BNS), 2023 based on the complaint given by the 2nd Respondent.
3. We states that the alleged occurrence in this case is said to have taken place on 11.04.2026 and the FIR was registered on 11.04.2026.
4. We state that the case of prosecution as per the complaint given by the De-Fact Complaint is that 1st Petitioner had helped by means to the 2nd Respondent on January Month 2026 to a sum of Rs.2,10,000/- and the 2nd Respondent had promised to repay the amount of Rs.2,10,000/- by April 1st Week of 2026 and the 2nd Respondent, had paid a part of payment in two parts i.e. a sum of Rs.25,000/- and Rs.35,000/- and balance a sum of Rs.1,50,000/- was due from the 2nd Respondent.
5. We State that as the 2nd Respondent failed to pay the balance of Rs.1,50,000/- by 1st Week of April 2026, 1st and 2nd Petitioner had



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visited the 2nd Respondent on 11.04.2026 and requested him to repay the balance and during the discussion there arose a dispute among us which led to the occurrence of the alleged offence and the 2nd Respondent had paid a sum of Rs.50,000/- through gpay immediately to 1st Petitioner account and later promised to pay the balance in a period of time.

6. We state that 1st Petitioner, 2nd Petitioner and 2nd Respondent are none other than friends for past more than 10 years but unfortunately due to misunderstanding between us about the money dispute and other related exchanges, the dispute arose and thus lead to the filing of FIR against 1st and 2nd Petitioner, and 1st and 2nd Petitioner are presently in Judicial Custody since 11.04.2026.

7. We state that due to the efforts of our well-wishers and elders, we have decided to withdraw all the cases against each other with our own consent and free will without any pressure, force, coercion or undue influence from any side. We have decided to compound the dispute by settling and to end the dispute fully and to live peacefully.

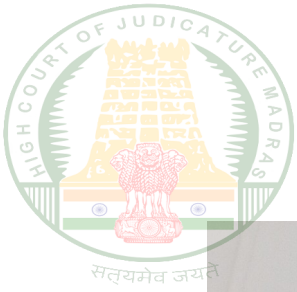
8. We state that we have decided to part as friends burying all the hatred feeling against the each other in the interest of harmony and understanding.

9. We state that we are willfully decided to compound the dispute arose among us and with our own consent decided to quash the FIR Crime No. 289 of 2026 on the File of T-4, Madhuravoyal Police Station, Koyambedu, Chennai for alleged offences under Sections 296(b); 115(2); 118(1); 140(2); 127(2) and 351(2) of The Bharatiya Nyaya Sanhita (BNS), 2023.

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Therefore, it is respectfully prayed that this Honorable Court may be pleased to quash the FIR in Crime No. 289 of 2026 on the file of the T-4 Madhuravoyal Police Station, Koyambedu, Chennai and pass such other order as this Hon'ble Court deem fit in the circumstances of this case and thus render justice.

Dated at Chennai on this the 17th day of April, 2026.

[Signature]
2nd RESPONDENT

[Signature]
1ST PETITIONER

[Signature]
2ND PETITIONER

மேல்க்கண்டவர்கள் கருவாயல் டி.4
புலிசு ஸ்டேஷனில் தீர்மானம்
செய்து 20/4/26
கனம் கிளர்ச்சிப்பாளர்
தரவி கிராமச்சிதை
புத்தமணி

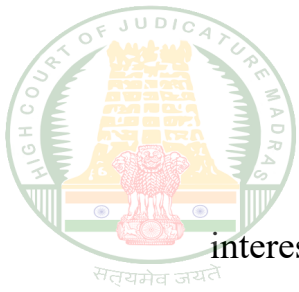


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8. Learned Government Counsel appearing on behalf of

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.

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



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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 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.289 of 2026 on the file of the 1st respondent Police.

11. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.289 of 2026 on the file of the 1st respondent police, is quashed.



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M. NIRMAL KUMAR,J.

nv

12. The affidavits and the Joint Memo of Compromise dated 17.04.2026 filed by the petitioners and the 2nd respondent for compromising the offences shall form part of the records.

05.06.2026

nv

To

1. Inspector of Police Station,
T-4, Madhuravoyal Police Station,
Koyambedu, Chennai.
2. The Public Prosecutor,
High Court, Madras.

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