



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15007 of 2026

Vijaya Kumar

..Petitioner(s)

Vs

1. The Inspector of Police,
R.K,Pet Police Station,
R.K.Pet,
Thiruvallur District.
Crime No.622 of 2024.

2. Gajendran

..Respondent(s)

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records in S.C.No.250 of 2025 pending trial on the file of the Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) at Thiruvallur and Quash the same.

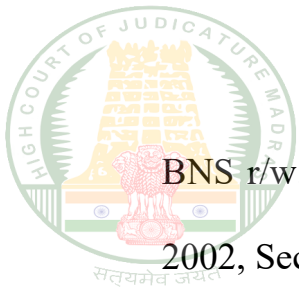
For Petitioner(s): Mr.K.G. Senthilkumar

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side) for R1

Mr.S.Murthy for R2

ORDER

The petitioner/accused facing trial in S.C.No.250 of 2025 on the file of the Sessions Court (Magalir Neethi Mandram, Fast Track Mahila Court) at Thiruvallur, for the offences under Sections 296(b), 115(2), 351(3) & 109(1)

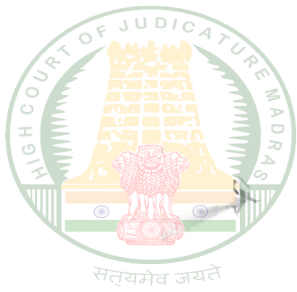


BNS r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, Section 126(2) and 74 BNS, has filed the present quash petition.

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2.The case of the prosecution is that the brother of the *de facto* complainant, namely Mohan, was in love affair with the daughter of the petitioner/accused. Since the petitioner did not like the same, on 04.12.2024, at about 11.00 p.m., the petitioner came to the house of the *de facto* complainant and at that time, his mother and wife were there in the house. The petitioner abused the *de facto* complainant's wife and mother in a filthy language and assaulted them with hands. When the *de facto* complainant came to the house, the petitioner abused him and assaulted him with a blade on the neck, due to which, he sustained grievous injury and also threatened him of dire consequences. Based on the complaint lodged by the *de facto* complainant, the 1st respondent Police registered an FIR in Crime No.622 of 2024 as against the petitioner, which culminated into S.C.No.250 of 2025 on the file of the Sessions Court (Magalir Neethi Mandram, Fast Track Mahila Court) at Thiruvallur.

3.The case is now at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves and they have filed a joint compromise memo, dated 07.10.2025, which is scanned and reproduced hereunder :



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Appellate Jurisdiction)

Crl.O.P.No. 15007 of 2025

Against

SC.No. 250 of 2025

(on the file of the ~~Session Judge~~, Magalini Neechi Mandam, at Thiruvallur.)

VIJAYA KUMAR, 44 years,
S/o. Kathirvel,
Ponniamman Koil Street,
R.K.Pet,
Thiruvallur District.

... Petitioner / Single Accused

Vs

1. THE INSPECTOR OF POLICE,
R.K.Pet Police Station,
R.K.Pet,
Thiruvallur District.
(Crime.No. 622 / 2024)

... 1st Respondent / Complainant

2. MR. GAJENDRAN,
S/o. Elumalai,
G.S.T. Nagar East,
Ammayarkuppam Village,
R.K.Pet,
Thiruvallur District.

... 2nd Respondent / De-facto Complainant

JOINT MEMO OF COMPROMISE FILED BY THE PETITIONERS /
ACCUSED AND 2ND RESPONDENT / DE-FACTO COMPLAINANT

K. Vijay

E. Gajendran



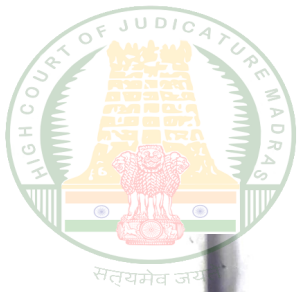
The Petitioner/Accused and the 2nd Respondent / de-facto complainant most humbly submits as follows :-

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1. The Petitioner/Accused and the 2nd Respondent / de-facto complainant submits that the 2nd Respondent has lodged a complaint which culminated into a FIR in Crime.No.622 of 2024. After investigation, a charge sheet was filed, and the case has been taken on file as S.C. No. 250/2025 before the Hon'ble Principal District Sessions Judge at Thiruvallur. Now that entire issue came to be settled by the way of compromise deed/ Affidavit date 07.10.2025 entered into between the Petitioner/accused and the 2nd respondent/ de-facto complainant. Since as of now the stage of the case is Trail stage before the Hon'ble Principal District Sessions Judge at Thiruvallur as S.C. No. 250/2025. Hence the present petition came to be filed for quashing the FIR and the 2nd Respondent has already given his consent by way of a supporting affidavit which is filed along with the typed set of papers which may be treated as part and parcel of this Joint Memo of Compromise.
2. The Petitioner/Accused and the 2nd Respondent / de-facto complainant submits that now they have settled the issue in an amicable manner. In view of the same the 2nd Respondent is withdrawing the case. Hence we are filing this Joint Compromise Memo before this Hon'ble court without any threat or coercion and the same may be read as a part and parcel of the quash petition filed by the Petitioner. Both the Petitioner and the 2nd

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Respondent submit that they would appear before this Hon'ble court along with proper identity (Aadhar Card).

It is therefore prayed that this Hon'ble court may be pleased to accept the Joint Memo of Compromise filed by the Petitioner / Accused and the 2nd Respondent/ De-facto complainant and dispose the above said quash petition filed by the Petitioner / Accused in Crime.No.622 of 2024 which is pending before the Sessions Judge, Magalini Nellikai Mandram (FTL Court) at Thiruvallur as S.C. No. 250/2025 and pass such further or other orders and thus render justice.

Dated at Chennai on this 7th day of October 2025

K. Vignesh

Petitioner/Accused

M. Jaya Lakshmi

Counsel for Petitioner

x E. G. Ravikiran

2nd Respondent /

De-facto complainant

S. N. Arun

Counsel for 2nd Respondent

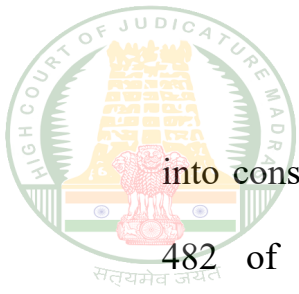


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4. Learned counsel for the petitioner as well as the learned counsel for the *de facto* complainant submitted that the *de facto* complainant's brother Mohan and the petitioner's daughter got married on 15.12.2024 and they are now happily living their marital life. Therefore, in view of the newly established family relationship between the parties, the parties have amicably resolved all their differences and have entered into a genuine and *bone fide* compromise. The 2nd respondent / *de facto* complainant no longer has any grievance against the petitioner and does not wish to prosecute the petitioner any further. The parties have also filed their individual affidavits to that effect.

5. Today, the petitioner and the 2nd respondent / *de facto* complainant appeared before this Court and they are identified by their respective counsel. In support of the joint compromise memo, the *de facto* complainant reiterated that he is willing to compromise the matter and compound the offences pending against the accused.

6. One important 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 accused. 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.

7.However, considering the facts of the case, it can be seen that the offence in question is purely individual in nature and the parties themselves have now come forward to settle the matter amicably. Therefore, quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing the criminal proceedings. After exercising due caution as advised by the Hon'ble Supreme Court in *The State of Madhya Pradesh v. Dhruv Gurjar and Another* reported in (2019) 2 MLJ Crl 10), this Court, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS, is inclined to quash the proceedings pending against the accused.

8.In view of the above, this Criminal Original Petition is allowed and the criminal proceedings as against the petitioner in S.C.No.250 of 2025 on the file of the Sessions Court (Magalir Neethi Mandram, Fast Track Mahila Court) at



Thiruvallur, is hereby quashed. The joint compromise memo filed by the parties and the individual affidavits filed by the parties shall form part of the records.

18-06-2026

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

MKN

To

- 1.The Sessions Judge,
(Magalir Neethi Mandram,
Fast Track Mahila Court),
Thiruvallur.
- 2.The Inspector of Police,
R.K,Pet Police Station,
R.K.Pet,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR J.

MKN

CRL OP No. 15007 of 2026

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