



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14166 of 2026

WEB COPY

M.Manoj Kumar
S/o.Murugan,
No.82A, Solaiamman Kovil Street,
Kodungaiyur, Chennai - 600 118.

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

2. D.Venkatesan
S/o.Dhasarathan,
No.11, Sathyam Flats,
Perumal Kovil Street,
Aminjikarai, Chennai - 600029.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS to call for the records in Crime No.618/2024 on the file of the 1st respondent police and quash the same on the basis of compromise and thus render justice.

For Petitioner(s): Mr.P.Arumugavel

For Respondent(s): Mr.R. RAJASEKARAN
Govt. Advocate (CRL. SIDE)
For R1

Mr.P.Kirubavathi
for R2



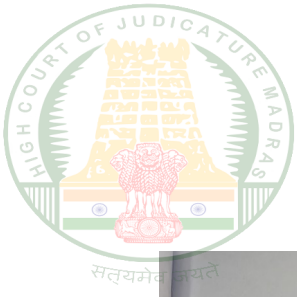
ORDER

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The petitioner/accused in crime No.618 of 2024 for offences under Sections 296(b), 118(1) & 351(3) of BNS, 2023 filed this quash petition.

2.The case against the petitioner is that on 15.10.2024, after completing work, the defacto complainant came near his house at about 11.00 p.m. and was cleaning his share auto. At that time, when he was talking to his wife over phone, the accused, who is also Auto driver, asked him where is Karthik's auto? And abused him in filthy language and picked up a wooden log lying nearby and assaulted him on the back of his head, hands and legs and caused injuries. Hence, lodged a complaint. Based on the complaint, the respondent police registered a case in Crime No.618 of 2024 for offences under Sections 296(b), 118(1) and 351(3) of BNS, 2023.

3.The learned counsel appearing for the petitioner as well as the learned counsel for the defacto complainant/second respondent submitted that both the petitioner and the defacto complainant are auto drivers and due to some misunderstanding, the problem was raised. Now, the parties entered into compromise among themselves. Hence, they seek to quash the proceedings pending against the petitioner and in this regard, a Joint Compromise Memo entered between them, which was scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Original Jurisdiction)

Crl.O.P.No. 14166 of 2025

Against

Crime No.618/2024

(On the file of the 1st respondent Police)

M.Manoj Kumar, (M/31)

S/o. Murugan,

No.82A, Solaiamman Kovil Street,
Kodungaiyur, Chennai-600118.

...Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep.by the Inspector of Police,
K-3, Aminjikarai police station,
Chennai.2.D.Venkatesan,
S/o. Dhasarathan,
No.11, Sathyam Flats,
Perumal Kovil Street,
Aminjikarai, Chennai-600029.

... Respondents

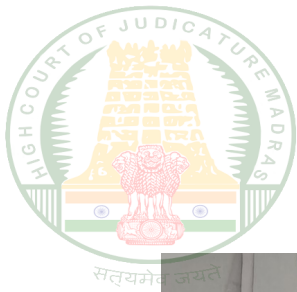
**JOINT COMPROMISE MEMO FILED BY THE PETITIONER AND
DEFACTO COMPLAINANT**

1. It is respectfully submitted that the above Criminal Original petition filed by the above named petitioners seeking "to call for the records in Crime No.618 of 2024 on the file of the 1st respondent police and quash the same as against the petitioners on the basis of compromise and thus render justice".

2. It is respectfully submitted that due to some misunderstanding, the above case came to be registered. However

M. Manoj Kumar

D. Venkatesan



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we have resolved our difference and settled the dispute amicably on the terms of the compromise that both parties are agreed to withdraw the allegations in case registered in crime No.618/2024. Further there is no claim against each other and both parties are agreed that they will not create any problem in future, either directly or indirectly or in the social media. Further the 2nd respondent has agreed to give consent to quash the said F.I.R in crime No.618/2024 before the Hon'ble High court. Therefore the 2nd respondent has no objection for quashing the above said F.I.R as against the petitioner.

3. It is respectfully submitted that the petitioner and the de-facto complainant are withdrawing the allegations raised in the above criminal proceedings against each other and there is no claim against each other.

Therefore in view of the above facts and circumstances, it is humbly prayed that this Hon'ble Court may be pleased to allow the above criminal original petition and quash the proceedings in Crime No.618/2024 on the file of the 1st respondent police against the petitioner on the basis of compromise and thus render justice.

Dated at Chennai on this the 21st day of April 2026

M. Manjhar
Petitioner

A. Rakshar
Counsel for petitioner

*D. Chandan

De-facto Complainant

A. Chandan Mls. 7182/24
Counsel for De-facto Complainant



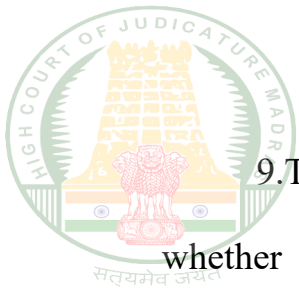
4.The learned Govt. Advocate (Crl.Side) appearing for the first respondent submitted that both are auto drivers and there was some misunderstanding. Though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

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

6.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

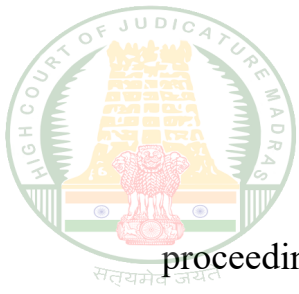
7.The petitioner and the de facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by D.Mahesh SSI, K3 Aminjikai Police Station, Chennai.

8.On interaction by this Court, the defacto 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.



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 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.

10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent 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 proceedings pending against the petitioner in crime No.618 of 2024 on the file of the first respondent police.



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.618 of 2024 pending on the file of the first respondent police, is quashed as against the petitioner.

12. The affidavit and the Joint Compromise Memo filed by the petitioner and the second respondent defacto complainant for compromising the offences shall form part of the records.

05-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

sms

To

1. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

2. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

sms

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