



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16186 of 2026

K.Vinoth

..Petitioner(s)

Vs

1.The State rep.by
Inspector of Police,
N1-Royapuram Police Station,
Royapuram,
Chennai.
2.K.R.Selvarajkumar

..Respondent(s)

To call for the records in CC.No.1033 of 2023 on the file of the Honble XVI metropolitan Magistrate, George town, Chennai in Cr.no.1658 of 2021 on the file of the N1-Royapuram Poilce Station, Royapuram, Chennai and quash the same and pass such further or other order as this Honble court.

For Petitioner(s): Mr.S.Magimai Raj

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1
Mr.J.Jahith Rifai, for R2

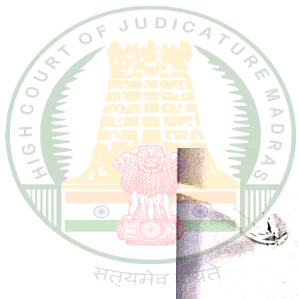
ORDER

The petitioner, who is facing trial for the offences under Section 506(1) IPC in CC.No.1033 of 2023 on the file of the learned XVI metropolitan Magistrate, George town, Chennai, has filed this quash petition.



2.The case of the prosecution is that the de facto complainant is a practising advocate and doing social service under the name of “M/s.Meenava Thanthai K.R.Selvaraj Kumar Firsherman Welfare Association” and he has conducted numerous cases related to coastal management and water bodies. It is alleged that the petitioner cheated the de facto complainant's brother regarding construction of a fish market. When the de facto complainant questioned the same, the petitioner, through certain persons acting on his behalf, sent an audio recording containing threats to kill the de facto complainant. The de facto complainant recorded the same and lodged a complaint to the first respondent Police. Upon completion of the investigation, a final report was filed by the respondent Police and the same has been taken on file in CC.No.1033 of 2023 on the file of the learned XVI metropolitan Magistrate, George town, Chennai.

3.The learned counsel for the petitioner as well as the learned counsel for the de facto complainant submitted that the occurrence arose out of a misunderstanding between the parties, which was purely personal in nature. Subsequently, with the intervention of elders and well-wishers, the parties resolved their differences amicably. In view of the settlement, they have filed a Joint Compromise Memo, which was scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Crl.OP.No. 16186 of 2026

in

C.C.No.1033 of 2023

(on the file of the Hon'ble XVI Metropolitan Magistrate,
George Town, Chennai)

in

Crime No.1658 of 2021

(on the file of the N1-Royapuram Police Station, Chennai)

K.VINOTH (MALE 43 YEARS)

son of Mr.Kuppan

No.34, Vinayagapuram, IDH Backside

Othavadai, Tondiarpet,

Chennai-600081

... Petitioners/Accused

Vs

1. The State, rep by
Inspector of Police,
N1-Royapuram Police Station
Royapuram, Chennai

...1st Respondent/Complainant

2. K.R.SELVARAJKUMAR
son of Mr.Rajalingam
No.207, A9 Block, Prince Village - I
Illaya Street, Tondiarpet
Chennai-600081

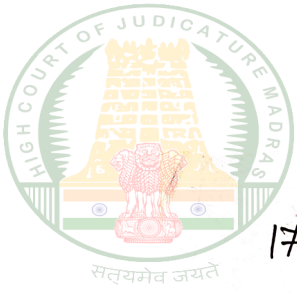
...2nd Respondent /De-facto Complainant

JOINT COMPROMISE MEMO

Both the parties begs to submit as follows:

1. Both the Parties submits that the Petitioner is the accused person in connection with Crime No.1658 of 2024 for alleged offences under sections 506(1) of IPC which came to be registered by the 1st Respondent police, based on the complaint dated 07.12.2021 lodged by the De-facto complainant. Further, the Police report was filed before the Hon'ble XVI Metropolitan Magistrate Court, George Town, Chennai and proceedings are still pendency before the Learned Hon'ble XVI Metropolitan Magistrate Court, George Town, Chennai.

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2. Both the Parties further submits that subsequent to the registration of First Information Report in Crime No.1658 of 2021, the issues between us were resolved and cordial relationship has been developed, thereby, Defacto complainant [2nd respondent] is coming forward to withdraw the said criminal case by compounding the offences.

3. Both the Parties further submits that since the above case is settled amicably by both the parties, both the parties had come forward to quash the case in CC.No.1033 of 2023 in Crime No.1658 of 2024 pending on the file of Learned XVI Metropolitan Magistrate, George Town, Chennai and signed the present joint compromise memo.

In these circumstances, it is humbly prayed that this Hon'ble Court may be pleased to accept this Joint compromise memo filed by both the parties to compromise the case in CC.No.1033 of 2023 in Crime No.1658 of 2024 pending on the file of Learned XVI Metropolitan Magistrate, George Town, Chennai and quash the same and thus render justice.

Dated at Chennai on this 1st day of June 2026

**2nd Respondent/
De-facto complainant**

Counsel for 2nd Respondent

Petitioner/Accused

Counsel for Petitioner



4.The learned Govt. Advocate (Crl.side) appearing for the first respondent submitted that based on complaint of the second respondent, the case came to be registered against the petitioner. He further submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offence, has to consider 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 trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

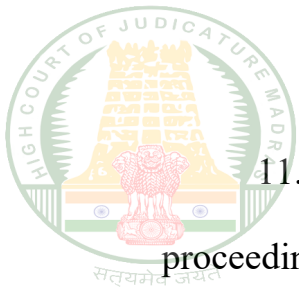
7.The petitioner and the second respondent/defacto complainant appeared before this Court and were duly identified by their respective counsel.

8.On interaction by this Court, the second respondent/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 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 XVI metropolitan Magistrate, George town, Chennai .



11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in CC.No.1033 of 2023 on the file of the learned XVI metropolitan Magistrate, George town, Chennai, is quashed.

12. The affidavits and the Joint compromise Memo filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

25-06-2026

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

To

1. The XVI metropolitan Magistrate, George town, Chennai
2. The Inspector of Police,
N1-Royapuram Police Station,
Royapuram,
Chennai.
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

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