



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15561 of 2026

S.S.Sheik Ajmul

Petitioner(s)

Vs

1. The State through
The Inspector of Police
T1 Ambattur Police Station,
Tiruvallur District.
(Crime No.838 of 2022)

2.A.Mobeen Dowlath

Respondent(s)

PRAYER

This criminal original petition is preferred under Section 528 of BNSS 2023 seeking to record the compromise agreement filed by the petitioner/accused and the 2nd respondent / defacto complainant with regard to crime no.838 of 2022 on the file of the first respondent police and quash the same and pass any further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.S.Vijayakumar

For Respondent(s): Mr.A.Amarnath, Counsel for
Government of Tamil Nadu
(Criminal side) for R1



ORDER

The petitioner against whom a case in Crime No.838 of 2022 for the offences under sections 406, 465, 468, 470, 420 and 506(1) IPC came to be registered, has filed the present petition to quash the above said proceedings.

2.The case of the prosecution is that the second respondent has lodged a complaint against the petitioner stating that the petitioner offered to sell a property to the second respondent informing her that the land registration would be Rs.10,00,000/- and the construction costs would be Rs.20,00,000/-. The second respondent believing his words agreed to purchase the same and had transferred a sum of Rs.11,25,100/- to the petitioner's bank account. Thereafter, the petitioner further asked the second respondent to pay an additional sum of Rs.3,50,000/- as the costs had increased. The second respondent had also arranged the same and made the payment. Even thereafter, the petitioner delayed the registration of the property and kept evading her. The second respondent repeatedly demanded for repayment of the money. Though the petitioner had issued certain signed undated cheques, when deposited the same was returned with endorsement 'Funds insufficient'. Thereafter, the second respondent realised that she was cheated and therefore, she lodged a complaint before the respondent police and a case came to be registered.

3.Learned counsel for the petitioner submitted that the parties have compromised the matter and that the second respondent is willing to drop the



further criminal prosecution against the petitioner and hence, he prays for quashing.

WEB COPY

4.Learned Government Advocate (Criminal side) for first respondent is before this court. It is submitted that on the complaint of the 2nd respondent, the respondent Police registered an FIR in Crime No.838 of 2022 against the petitioner. Now the investigation is going on. In the meantime, both the petitioner and the second respondent arrived at a compromise and settled the issues.

5.Considering the submissions and on perusal of materials, it is seen that 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.

6.Today the petitioner and the second respondent appeared before this Court and their identity is confirmed by Mr.V.Govindaraj, PC 16188 attached to the 1st respondent Police Station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The second respondent has filed an affidavit in this regard before this Court and both parties also filed the Joint Compromise Memo and the relevant portions of the joint compromise memo are paragraphs 2, 3 and 4 which read as follows:



WEB COPY

2. Both parties submit that the petitioner and 2nd respondent belongs in Muslim Religion and the both family elders are good friends. Under the said circumstances the elders of both family intervened and advised both the parties to settle the above issue amicably. More particularly the petitioner was returned above said entire amount to the 2nd respondent by installments, the 2nd respondent agreed to drop the further Criminal Prosecution against the petitioner as agreed during the compromise and the petitioner apologized for the happenings and agreed not to do any act in future that would harm defacto complainant Mrs.A.Mobeen Dowlath and her family members in view of the said compromise. The petitioner are filing the present petition to quash the FIR registered in Crime No.838/2022 on the file of 1st respondent police under the grounds of compromise.

3. Both parties submit that under the said circumstances, 2nd respondent / De-facto Complainant, the petitioner / accused in the above case would come forward to settle the above issue amicably and to quash the impugned First Information Report.

4. Both parties submit that, in view of the said compromise, the petitioner are filing the present petition to quash the same in Crime No.838/2022, on the file of the 1st respondent police, under the grounds of compromise. Therefore it is just and necessary to quash the Crime No.838/2022, on the file of the 1st respondent police. Otherwise, they would be put into great hardship.'

7. Under such circumstances, no useful purpose will be served in keeping the case 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-(Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur Vs. State of Gujarat)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 5 SCC 570**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS is inclined to quash the proceedings in Crime No.838 of 2022 pending on the file of the first respondent police.

8.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.838 of 2022 on the file of the first respondent police is quashed. No costs.

19-06-2026

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

To

1.The Inspector of Police
T1 Ambattur Police Station,
Tiruvallur.
Crime No.838 of 2022

2.The Government Advocate
(Criminal side), Madras High Court,
Chenani.



WEB COPY

CRL OP No. 15561 of 2026



M.NIRMAL KUMAR J.

vvk

**CRL OP No. 15561 of
2026**

19-06-2026