



Crl.O.P.No.15005 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.06.2026

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15005 of 2026
and Crl.M.P.No.9617 of 2026

Muthuraman

.. Petitioner

Versus

1. The Inspector of Police,
Central Crime Branch,
Salem City, Salem District.
(Crime No.32 of 2023)

Gopalsamy (Died)

2. Sivasankari
3. Minor Akshayaa
4. Dhushyanth Yadav

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records of the complaint under Crime No.32 of 2023 on the file of the 1st respondent Police under Sections 468, 471, 420 of IPC (U/s.336(3), 340(2), 318(4) of B.N.S) and Section 3 & 7(1) of State Emblem of India (Prohibition of Improper Use) Act dated 18.11.2023 compromise and to quash the same as illegal and for consequential orders.



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For Petitioners : M/s.G.Thalaimutharasu

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

ORDER

The petitioner, who is the first accused in Crime No.32 of 2023 dated 18.11.2023 for offences under Sections 468, 471, 420 of the Indian Penal Code and Section 3 & 7(1) of State Emblem of India (Prohibition of Improper Use) Act on the file of the first respondent Police, has filed this Criminal Original Petition on the ground of compromise.

2. The case of the petitioner herein/first accused in the F.I.R is that he introduced himself to the friend of the deceased de facto complainant that he is the Chairman of MSME National Promotion Council and used National Flag and State Emblem on his vehicle and told to contact him if any loan or any job is required. After having conversation with his friend, the deceased de facto complainant approached the petitioner herein/first accused and the fourth respondent/second accused, for which, the accused gave assurance that they will appoint the deceased de facto complainant as State Chairman of



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MSME Council. The deceased de facto complainant had also given a sum of Rs.50,00,000/- to the accused persons for the said purpose. But, later, the accused persons told the deceased de facto complainant that the posting was given to another person as he offered more money than the deceased de facto complainant and also returned a sum of Rs.9,00,000/- to the deceased de facto complainant and failed to return the balance amount. On the complaint of the deceased de facto complainant, the first respondent Police registered F.I.R in Crime No.32 of 2023 for offences under Sections 468, 471, 420 of the Indian Penal Code and Section 3 & 7(1) of State Emblem of India (Prohibition of Improper Use) Act against the petitioner herein/first accused and the fourth respondent/second accused.

3. The de facto complainant died and in his place, his wife, Sivasankari and his minor daughter namely, Akshayaa, have come on record as the legal heirs of the deceased de facto complainant, as the respondent Nos.2 and 3.

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



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5. Today, the parties appeared before this Court and their identity is confirmed by Mrs.Saranya Devi, Assistant Commissioner of Police attached to the first respondent Police Station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. It is stated in the affidavit of the respondent Nos.2 and 3 that they received the entire amount and now they are not willing to further proceed with the case and filed an affidavit to that effect. The petitioner and the respondent Nos.2 and 3 have filed separate affidavit before this Court.

6. 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 Gujrath)**, and 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., is inclined to quash the F.I.R.



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7. This Criminal Original Petition stands allowed and as a sequel, the F.I.R in Crime No.32 of 2023 dated 18.11.2023 on the file of the first respondent Police is quashed against the petitioner herein. Consequently, connected miscellaneous petition is closed.

12.06.2026

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Public Prosecutor,
High Court of Madras.
2. The Inspector of Police,
Central Crime Branch,
Salem City, Salem District.



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M.NIRMAL KUMAR, J.

grs

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