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CRL OP No. 15030 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 15030 of 2026
AND
CRL OP NO. 15052 OF 2026**

1. Harish L Metha

2. Uday L Metha

..Petitioner(s)

Vs

1. State by

Assistant Commissioner of Police,
Central Crime Branch,
Land Grabbing Cell-I,
Vepery, Chennai-07.

2. K.Manoharan

Executive Trustee,
M/s.Tamil Nadu Chemist and Druggists
Education Trust,
Having Office at
No.2/35, Rajiv Gandhi Salai (OMR),
Thoraipakkam, Chennai-600 097.

..Respondent(s)

CRL OP No. 15052 of 2026

R.Vasanthalakshmi

..Petitioner(s)

Vs

1. State by

Assistant Commissioner of Police,
Central Crime Branch,
Land Grabbing Cell-I,
Vepery, Chennai-07.



2. K.Manoharan
Executive Trustee,
M/s.Tamil Nadu Chemist and Druggists
Education Trust,
Having Office at
No.2/35, Rajiv Gandhi Salai (OMR),
Thoraipakkam, Chennai-600 097.

..Respondent(s)

CRL OP No. 15030 of 2026

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records and quash the CC.No.6549 of 2023 on the file of the learned Metropolitan Magistrate for Exclusive trial of CCB and CBCID Metro cases, at Egmore, Chennai.

CRL OP No. 15052 of 2026

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records and Quash the C.C.No.6549 of 2023 on the file of Learned Metropolitan Magistrate For Exclusive Trial of CCB and CBCID Metro Cases, at Egmore, Chennai.

CRL OP No. 15030 of 2026

For Petitioner(s): Mr.A.Nagarajan
in both petitions

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

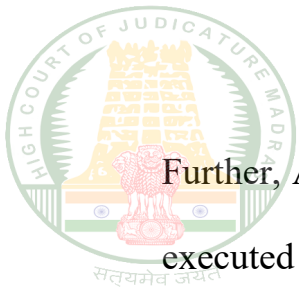
Mr.S.K.Chandrasekaran for R2
in both petitions



ORDER

The petitioners in Crl.O.P.No.15030 of 2026 (A1 and A2) and the petitioner in Crl.O.P.No.15052 of 2026 (A3), facing trial in C.C.No.6549 of 2023 on the file of learned Metropolitan Magistrate For Exclusive Trial of CCB and CBCID Metro Cases, at Egmore, Chennai, have filed the present quash petitions.

2.The case of the prosecution is that, to construct a Pharma College in the name and style of M/s.C.L.Baid Metha College of Pharmacy, one Manikchand Metha and C.L.Metha @ C.Lakshmichand Metha donated a property to an extent of 30 Grounds, bearing S.No.405/5, situated at Ookiyaam, Thoraipakkam Village, Chengalpattu District, in favour of M/s.Tamil Nadu Chemists & Druggists Educational Trust (*de facto* complainant herein) by way of Settlement Deed bearing Doc.No.1868 of 1981 dated 10.10.1980. After demise of C.L.Metha on 17.06.1995, without the knowledge of the *de facto* complainant Trust, A1 and A2 along with others, claiming themselves as legal heirs of C.L.Metha, had executed registered Power of Attorney dated 14.11.2005, 15.11.2005 and 16.11.2005 in favour of one M.S.Rajaram, dealing with 15 Grounds of the property which was already settled by C.L.Metha in favour of the Trust. Thereafter, the Power Agent has sold the said 15 Grounds of the property in favour of A3 and A4 by registered sale deed dated 11.04.2007. A3 and A4 have subsequently sold a portion of the property to third parties.



Further, A1 and A2 and others, claiming as legal heirs of C.L.Metha, have also executed a registered Exchange Deed dated 15.04.2006 with M/s.Tamil Nadu

Educational and Medical Team Trust, exchanging 17.30 Grounds of the subject property in S.No.405/5 with M/s.Tamil Nadu Educational and Medical Team Trust's property situated in R.S.No.405/1A & B part to an extent of 17.32 Grounds. Since the legal heirs of C.L.Metha had dealt with the property already settled in favour of the *de facto* complainant Trust by C.L.Metha, the *de facto* complainant Trust lodged a complaint with the 1st respondent Police. Based on the same, an FIR came to be registered in Crime No.68 of 2022 on the file of the 1st respondent Police for the offences under Sections 465, 467, 468, 471 and 34 IPC as against the petitioners and others. After investigation, the 1st respondent Police had filed a final report as against A1 to A4 for the offences under Sections 420, 465, 467, 468, 471 r/w. 120(b) IPC, which was taken on file in C.C.No.6549 of 2023 on the file of learned Metropolitan Magistrate For Exclusive Trial of CCB and CBCID Metro Cases, at Egmore, Chennai.

3.By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4.Accordingly, A1, A2 and A4 have filed the present quash petitions along with a joint memorandum of compromise, dated 05.06.2026, stating that the parties are willing to settle the matter and compound the offences. The



memo in Crl.O.P.No.15030 of 2026 is scanned and extracted hereunder :

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

Crl.O.P.No. 15030 of 2026
In

C.C.No. 6549 of 2023

(On the file of Learned Metropolitan Magistrate for Exclusive Trial of CCB &
CBCID Metro Cases, At Egmore, Chennai)

1. Harish L Metha (M/A 67 Years)
S/o.C.L.Metha
Residing at;
No.20, Burkit Road,
T Nagar, Chennai - 600 017.

2. L. Uday Metha (M/A 62 Years)
S/o. C.L.Metha
Residing at;
No.22, Burkit Road,
T-Nagar, Chennai - 600 017

... Petitioners/Accused-1 & 2

Vs.

1. State by:
Assistant Commissioner of Police,
Central Crime Branch,
Land Grabbing Cell -I,
Vepery, Chennai-07

... 1st Respondent/Complainant

2. K.Manoharan
Executive Trustee,
M/s.Tamil Nadu Chemist and Druggists Education Trust,
Having office at;
No.2/35, Rajiv Gandhi Salai (OMR),
Thoraipakkam,
Chennai-600097.

... 2nd Respondent/De-facto Complainant.

JOINT MEMO OF COMPROMISE

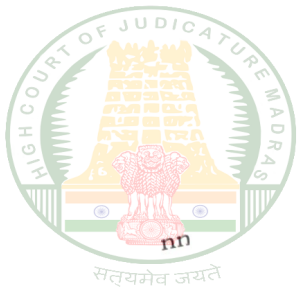
1) On basis of a complaint lodged by one Viz., K.K.Selvan Erstwhile Representative of M/s.Tamil Nadu Chemists and Druggist Educational Trust, a case in Crime No.68 of 2022 was registered by the 1st Respondent as against the Petitioners and 9 others for alleged offences U/s. 465, 467, 468, 471 & 34

For

Harish L Metha
S/o.C.L.Metha

For TAMILNADU CHEMISTS & DRUGGISTS EDUCATIONAL TRUST

K. Manoharan
Executive Trustee



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of IPC dated 17.03.2022. Thereafter during the course of investigation charges were altered as Section 420, 465, 467, 468, 471 r/w 120(b) of IPC.

3) On completion of investigation the 1st Respondent herein had deleted the names of Accused Viz, Sowbagyavathi Metha (Accused No.7), Rajaram (Accused No.8) and C. Rathanchand Savan Sukha (Accused No.11) and filed the Final Report before the Learned Metropolitan Magistrate For Exclusive Trial of CCB & CBCID Metro Cases, At Egmore, Chennai and the same is taken on file in CC.No.6549 of 2023.

4) Following the same on 03.01.2024 the 1st Respondent had filed a Petition for further investigation before the Learned Trial Court in CrI.M.P.No.10460 of 2024 and the same was allowed in its order dated 25.03.2024. Subsequently, the 1st Respondent had deleted the names of accused Viz., Lalitha Bhora (Accused No.3), Vijayalakshmi Munoth (Accused No.4), Santha Munoth (Accused No.5) & Sasikala Kicha (Accused No.6) from the final report and filed a Supplementary Charge Sheet by re-arranging the rank of Accused i.e., Harish L Metha as Accused No.1, Uday L Metha as Accused No.2, T.Ragunandana as Accused No.3 & R.Vasanthalakshmi as Accused No. 4, in the above said case.

5) Subsequently Accused No.3 Viz., T.Ragunandana has filed a Discharge Petition before the Learned Trial Court in CrI.M.P.No.67191 of 2024 and he had been discharged from the case in its order dated 03.01.2025, aggrieved against the order of Acquittal, De-facto Complainant has preferred a Criminal Revision before the Principal Sessions Judge, Chennai in CrI.R.C.No.11 of 2025 and the same is pending.

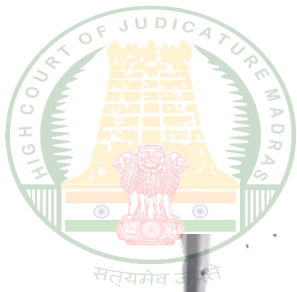
P1 & P2

Harish - metha

Ragunandana

For TAMILNADU CHEMISTS & DRUGGISTS EDUCATIONAL TR

K. Manoharan
Executive Trustee



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On advice of well-wishers a compromise arrived between both parties dated 20.01.2026. Hence, we are willing to compound the offences and do not want to precipitate in the issue, consequently we are intended to settle the matter amicably.

7) If this Hon'ble Court did not permit us to compound the offences, great prejudice would be caused to the petitioners. At this old age continuation of the prosecution will create a major setback till the end of their life. Hence, we may be permitted to compound/compromise in the case registered by the 1st Respondent in Crime No.68 of 2022 and the final report filed in CC.No.6549 of 2023 on the file of Learned Metropolitan Magistrate For Exclusive Trial of CCB & CBCID Metro Cases, At Egmore, Chennai.

In these circumstances, we therefore prayed that this Hon'ble Court may be pleased to accept our joint compromise memo and quash the CC.No.6549 of 2023 on the file of Learned Metropolitan Magistrate For Exclusive Trial of CCB & CBCID Metro Cases, At Egmore, Chennai as against the petitioners and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the interest of the case and thus tender justice.

Dated at Chennai this the ^{17th} 5 day of ^{June} March, 2026

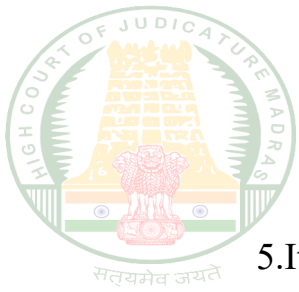
Harish
PETITIONERS

(Harish L Metha & Uday L Metha)

K. Manoharan
2ND RESPONDENT
(K. Manoharan)

[Signature]
**COUNSEL FOR
PETITIONERS**

**COUNSEL FOR
2ND RESPONDENT**



5.It is submitted that A3, namely T.Ragunandana, has been discharged from the case by the trial Court by order dated 03.01.2025 in Crl.M.P.No.67191 of 2024.

6.Today, the petitioners (A1, A2 and A4) and the 2nd respondent / *de facto* complainant are present before this Court and they are identified by Mr.G.Masilamani, Sub-Inspector of Police, CCB, Chennai-7. The parties have expressed their willingness to compromise the matter and compound the offences pending against the accused. They have also filed individual affidavits to that effect.

7.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



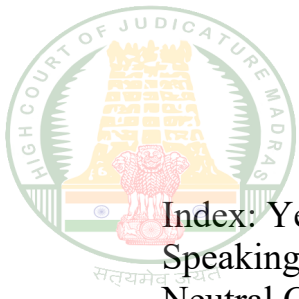
Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be quashed by this Court.

8.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 CrI 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.

9.In view of the above, these Criminal Original Petitions are allowed and the criminal proceedings in C.C.No.6549 of 2023 on the file of learned Metropolitan Magistrate For Exclusive Trial of CCB and CBCID Metro Cases, at Egmore, Chennai, is hereby quashed. The joint compromise memo filed by the parties and the individual affidavits filed by the parties in both the petitions shall form part of the records.

18-06-2026

MKN



Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Metropolitan Magistrate For
Exclusive Trial of CCB and CBCID Metro Cases,
at Egmore, Chennai.
2. The Assistant Commissioner of Police,
Central Crime Branch,
Land Grabbing Cell-I,
Vepery, Chennai-07.
3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 15030 of 2



M.NIRMAL KUMAR J.

MKN

**CRL OP No. 15030 of 2026
AND
CRL OP NO. 15052 OF 2026**

18-06-2026