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CRL OP No. 15364 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15364 of 2026

AND

CRL MP NO. 10001 OF 2026

1. Rajesh
2. Sivaprakasam @ Siva
3. Sundharrajan @ Raja

..Petitioner(s)

Vs

1. State rep.by
The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
Cr.no.1327 of 2021.

2. Anbumanan

..Respondent(s)

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records in connection with the impugned FIR in Cr.No.1327 of 2021 on the file of the 1st respondent and quash the same.

For Petitioner(s):

Mr.M.Vijaya Ragavan

For Respondent(s):

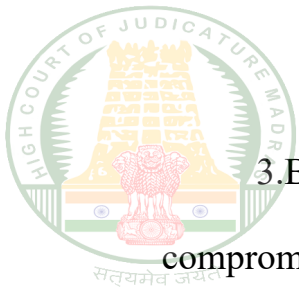
Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side) for R1



ORDER

The petitioners/accused in Crime No.1327 of 2021 on the file of the 1st respondent Police, registered for the offences under Sections 341, 294(b) and 506(1) IPC, have filed the present quash petition.

2.The case of the prosecution is that the 2nd respondent / *de facto* complainant is working as a Driver of a private Bus bearing Registration No.TN-22-CY-8492. On 14.11.2012, when he was driving the Bus towards Sirkali, at 02.30 p.m., near Chola Inn Hotel, a Car bearing Registration No.PY-01-CM-7401 came in the opposite direction. On the allegation that the Car's mirror hit on the Bus and was broken, the petitioners who were in the Car, waylaid the Bus when the Bus returned after dropping the passengers in Sirkali at about 03.45 p.m., and asked the *de facto* complainant and the Conductor to come to the Police Station. Accordingly, the *de facto* complainant and the Conductor went to the Police Station along with the petitioners, where, the petitioners, claiming themselves to be Advocates, abused the *de facto* complainant and also the Police officials and threatened the *de facto* complainant of dire consequences. The petitioners also collected a sum of Rs.500/- from the *de facto* complainant. Thereafter, on the advice of the owner of the Private Bus, the *de facto* complainant lodged a complaint before the 1st respondent Police on 15.11.2021. Based on the same, the 1st respondent Police registered the case in Crime No.1327 of 2021.



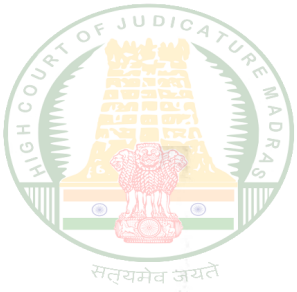
3. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

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4. Accordingly, the petitioners have filed the present quash petition accompanied with a joint compromise memo, dated 22.06.2026, filed by the petitioners (A1 to A3) and the 2nd respondent/*de facto* complainant, stating that the parties have entered into a compromise and thereby, settled the issues amicably among themselves out of free will and without any coercion with an intention to live peacefully. Learned counsel for the petitioners submitted that the pendency of this FIR is affecting the career prospects of the petitioners. Hence, he prayed for quashing of the FIR.

5. Today, the petitioners (A1 to A3) and the 2nd respondent / *de facto* complainant are present before this Court and they are identified by their respective counsel.

6. The parties have expressed their willingness to compromise the matter and compound the offences. The *de facto* complainant submitted before this Court that he is not willing to prosecute the petitioners any further. The joint compromise memo filed by the parties, dated 22.06.2026, is scanned and reproduced hereunder :



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

Crl.O.P.No.15364 of 2026

in
Crime No.1327 of 2021
(On the file of the 1st Respondent)

1. Rajesh, M/A 44 Years,
S/o.Muthukrishnan,
Kannikoil Street,
Pudhuthurai, Sirkali Taluk,
Mayiladuthurai District.
2. Sivaprakasam @ Siva, M/A 40 Years,
S/o.Manjanathan,
Esaniya Street,
Asupathi Nagar, Sirkali,
Mayiladuthurai District.
3. Sundharrajan @ Raja, M/A 44 Years,
S/o.Ramamoorthi,
East Street, Karrukkamaram,
Anaikkaranchatram,
Sirkali Taluk, Mayiladuthurai District.

...Petitioners/Accused No.1 to 3

-Vs-

- 1) State rep. by,
The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
(Crime No.1327 of 2021)

...1st Respondent/Complainant

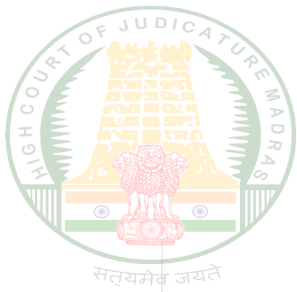
- 2) Anbumanan,
S/o.Anbalagan,
Big Street, Senniyanallur,
Perambur Post,
Sirkali Taluk, Mayiladuthurai District.

... 2nd Respondent/Defacto complainant

1. M. R.
2. M. R.

3. D. R.

4. H. R.



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It is, therefore, humbly prayed that this Hon'ble Court may be pleased to accept this compromise memo filed by both the parties and pass appropriate orders in the above Crl.O.P. and thus render justice.

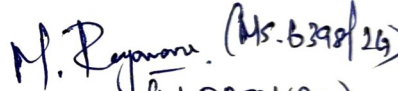
Dated at Chennai on this the 22nd day of June, 2026.


1st PETITIONER


2ND RESPONDENT


2nd PETITIONER


3rd PETITIONER

BEFORE ME

(M. RAGHAVAN)
ADVOCATE : CHENNAI
No. 10, Kandy Street,
Parrys, Chennai - 1

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

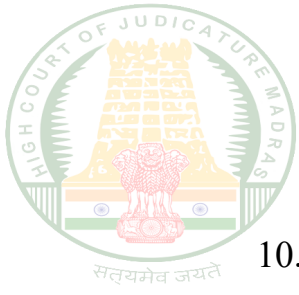


the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The

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, this Criminal Original Petition is allowed and the case as against the petitioners in Crime No.1327 of 2021 on the file of the 1st respondent Police, is hereby quashed. The joint compromise memo filed by the parties shall form part of the records. Consequently, connected miscellaneous petition is closed.



10. In view of the quashing of the FIR, it is made clear that the above case cannot be quoted against the petitioners in respect of their future education or employment or any other purpose in any manner.

22-06-2026

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

MKN

Note to Registry : Issue order copy on 24.06.2026.

To

1. The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
2. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR J.

MKN

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