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CRL OP Nos. 16027 and 16122 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP Nos. 16027 and 16122 of 2026

and

CRL.MP.Nos.10508 and 10616 of 2026

CRL.OP.No.16027 of 2026

1. Varshini
D/o. Mohanraj
2. Janani
W/o. Mohanraj
3. S.Mohan Raj

..Petitioner(s)

Vs

1. State represented by
The Inspector of Police
Gobichettipalayam Police Station,
Erode District.
Crime No.105 of 2026
2. Viswanathan
S/o. Kandasamy

..Respondent(s)

CRL OP No. 16122 of 2026

1. Viswanathan
S/o. Kandasamy
2. Revathi
W/o. Viswanathan



..Petitioner(s)

Vs

1. State represented by
The Inspector of Police
Gobichettipalayam Police Station,
Erode District.
Crime No. 104 of 2026.

2. Janani
C/o.S.Mohanraj

..Respondent(s)

CRL.OP.No.16027 of 2026

To call for the records in Crime No.105 of 2026 pending on the file of the 1st respondent and quash the same for the reasons stated above and pass as such further or other orders.

For Petitioner(s): Mr.Leonard Arul Joseph Selvam

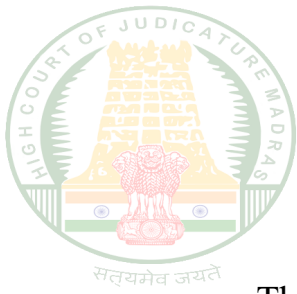
For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1
Mr.A.Baskar for R2

CRL.OP.No.16122 of 2026

To call for the entire records in Crime No. 104 of 2026 pending on the file of the 1st Respondent and Quash the same for the reasons stated above and pass as such further or other orders as this Honble Court may deem fit for the Circumstances of the casea and thus render Complete Justice.

For Petitioner(s): Mr.A.Baskar

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1
Mr.S.Vijay Chakravarthi, for R2

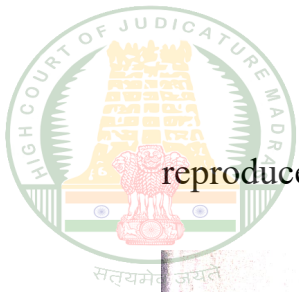


COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners, who have been arrayed as accused in Crime Nos.104 and 105 of 2026 on the file of the respondent Police, to quash the criminal proceedings.

2.The case of the prosecution is that Janani, her daughter Varshini, Viswanathan and his wife Revathi are neighbours. There is previous enmity between them regarding grazing of cattle through a public pathway. On 09.04.2026, at about 5.00 p.m., one of the goat belonging to Janani went near the house of Revathi, whereupon Revathi beaten the goat with a stick. On seeing the same, Janani's daughter Varshini questioned the act. This led to an altercation between both sides, during which they allegedly abused with each other filthy language and assaulted with weapons. Following the said occurrence, both parties lodged complaints against each other. Pursuant to which, separate FIRs came to be registered against each other. Thus, the matter arises out of a case and counter-case between the parties.

3.The learned counsel appearing for either of the parties 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 Joint Compromise Memos, which were scanned and



reproduced hereunder:

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(17)

**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CRIMINAL ORIGINAL JURISDICTION)**

Crl.O.P. No. 16027 of 2026

In

Cr. No. 105 of 2026

(On the file of the Inspector of Police, Gobichettipalayam Police Station, Erode)

1.Varshini, F/14,
D/o. Mohanraj. ✓

2.Janani, F/41
W/o. Mohanraj. ✓

3.S. Mohan Raj, M/46
S/o. Sagadevan ✓

The Petitioners all are residing at
NO.225, North Street, Gobichettipalayam,
Kullampalayam Village & Post,
Erode District 638476.

...Petitioner/Accused 1 to 3

Vs.

1.State represented by
The Inspector of Police,
Gobichettipalayam Police Station,
Erode District.
(Cr. No. 105/2026).

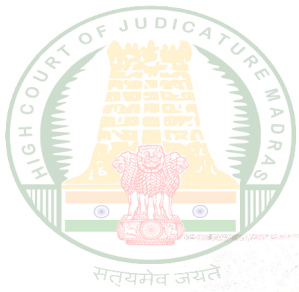
...Respondent No. 1

2.Viswanathan, S/o. S/o. Kandasamy.
No.468, Gobichettipalayam Taluk,
Kullampalayam,
Erode District 638476.

...Respondent No. 2/De-Facto Complainant

JOINT COMPROMISE MEMO

1. The petitioners 1,2,3 and the 2nd Respondent/de-facto complainant herein are presenting this Joint Compromise Memo in support of the

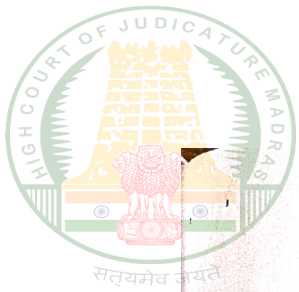


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Memorandum of Grounds of Criminal Original Petition to quash in
Crime No.105 of 2026 on the file of 1st Respondent.

2. It is submitted that a case has been registered in Crime No.105 of 2026 under section 296(b), 115(2), 351(3) of BNS against the petitioners 1 to 3.
3. It is submitted that after registration of FIR, on the intervention of elders, well-wishers, and respectable members of both families, the parties were advised to resolve their disputes amicably and to avoid further escalation of litigation. Pursuant to such intervention, the parties have held discussions and have decided to amicably settle the dispute, thereby putting an end to all disputes between them.
4. The Respondent No.2/De-facto Complainant in Cr. No.105 of 2026 hereby states that he has no objection to the quashing of the above-said FIRs and the consequential proceedings. The Petitioners also state that they shall not pursue the allegations made in the counter case and have mutually agreed to put an end to all disputes.
5. The parties submit that this compromise has been entered into voluntarily, out of their own free will and volition, without any coercion, undue influence, or pressure from any quarter. The parties further undertake that they shall abide by the terms of settlement and shall not initiate any further proceedings against each other in respect of the subject matter of the above case.
6. The parties, therefore, jointly pray that this Hon'ble Court may be pleased to record this compromise memo and quash the Cr.



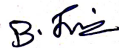
(19)

No.105/2026 on the file of the 1st Respondent, in the interest of justice and to enable the parties to lead a peaceful life.

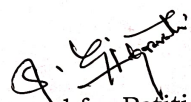
Dated at Chennai on the 8th day of June 2026.

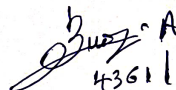

Petitioner No.1

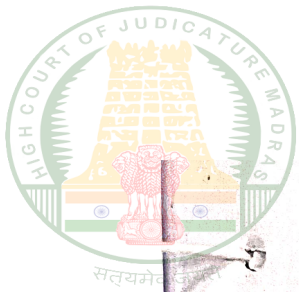

Respondent No. 2/De-Facto Complainant


Petitioner No.2


Petitioner No.3


Counsel for Petitioners


4361/23
Counsel for Respondent



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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CRIMINAL ORIGINAL JURISDICTION)**

CrI.O.P. No. 16027 of 2026

In

Cr. No. 104 of 2026

(On the file of the Inspector of Police, Gobichettipalayam Police Station, Erode)

1. Viswanathan, M/52
S/o. Kandasamy.

2. Revathi, F/42.
W/o. Viswanathan.

Petitioners both residing at:
No.468, Gobichettipalayam Taluk,
Kullampalayam, Erode District 638476.

...Petitioner/Accused 1 & 2

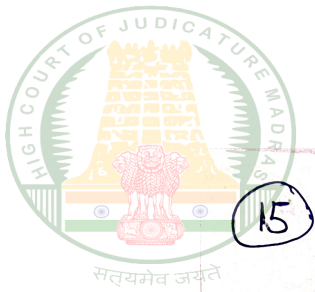
Vs.

1. State represented by
The Inspector of Police,
Gobichettipalayam Police Station,
Erode District.
(Cr. No. 104/2026).

...Respondent No. 1

2. Janani, C/o. Mohanraj. S,
No.225, North Street, Gobichettipalayam,
Kullampalayam Village & Post,
Erode District 638476.

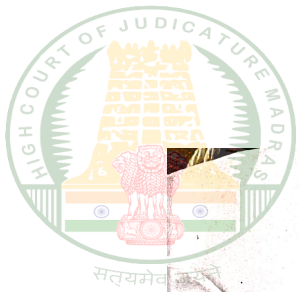
...Respondent No. 2/De-Facto Complainant



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JOINT COMPROMISE MEMO

1. The petitioners 1 & 2 and the 2nd Respondent/de-facto complainant herein are presenting this Joint Compromise Memo in support of the Memorandum of Grounds of Criminal Original Petition to quash in Crime No.104 of 2026 on the file of 1st Respondent.
2. It is submitted that a case has been registered in Crime No.104 of 2026 U/s 296(b), 118(1), 351(3) of BNS and 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act 2002 against the petitioners 1 & 2.
3. It is submitted that after registration of FIR, on the intervention of elders, well-wishers, and respectable members of both families, the parties were advised to resolve their disputes amicably and to avoid further escalation of litigation. Pursuant to such intervention, the parties have held discussions and have decided to amicably settle the dispute, thereby putting an end to all disputes between them.
4. The Respondent No.2/De-facto Complainant in Cr. No.104 of 2026 hereby states that he has no objection to the quashing of the above-said FIRs and the consequential proceedings. The Petitioners also state that they shall not pursue the allegations made in the counter case and have mutually agreed to put an end to all disputes.
5. The parties submit that this compromise has been entered into voluntarily, out of their own free will and volition, without any coercion, undue influence, or pressure from any quarter. The parties further undertake that they shall abide by the terms of settlement and shall not initiate any further proceedings against each other in respect of the subject matter of the above case.



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6. The parties, therefore, jointly pray that this Hon'ble Court may be pleased to record this compromise memo and quash the Cr. No.104/2026 on the file of the 1st Respondent, in the interest of justice and to enable the parties to lead a peaceful life.

Dated at Chennai on the day of June 2026.

[Signature]
Petitioner No.1

[Signature]
Respondent No. 2/De-Facto Complainant

[Signature]
Petitioner No.2

[Signature]
Counsel for Petitioner

[Signature]
Counsel for Respondent



4. The learned Govt. Advocate (Crl. Side) appearing for the first respondent Police submitted that based on the complaint of both parties, FIRs came to be registered. 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.

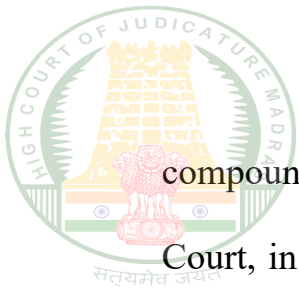
5. Heard both sides and perused the materials available on record.

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

7. Both the parties appeared before this Court and were duly identified by their respective counsel and the respondent Police.

8. On interaction by this Court, both the parties stated that they have amicably settled the dispute between them and they are not willing to pursue the criminal proceedings and therefore, seek 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 parties. 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 parties 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 in both Crime Nos.104 and 105 of 2026 before the first respondent Police.

11. Accordingly, these Criminal Original Petitions stand allowed and the proceedings in Crime Nos.104 and 105 of 2026 pending on the file of the first



respondent, are quashed. Consequently, connected miscellaneous petitions are closed.

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12.The affidavits and the Joint compromise Memos filed by the parties for compromising the offences shall form part of the record.

25-06-2026

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

To

1. The Inspector of Police
Gobichettipalayam Police Station,
Erode District.
Crime No.105 of 2026
2. The Public Prosecutor,
High Court, Madras



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CRL OP Nos. 16027 and 16122 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP Nos. 16027 and 16122 of 2026

25-06-2026