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CRL OP No. 451 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 451 of 2026

1. T.Arjun
S/o.Thangavel,
Residing at No.22/5, Rajaji Street,
Thenpalani Nagar, Kolathur,
Chennai - 600 099.
2. S.Rahulkumar
S/o.Santhanam,
Residing at No.5A, Vallalar street,
Choolaimedu, Chennai - 600 094.

..Petitioner(s)

Vs

1. The state rep.by,
Inspector of Police,
TIW-Anna Nagar Police station,
Chennai-TIW West.
Cr.No.127/2024.
2. M.Karthik
S/o.Murugesan,
Residing at No.6, Sivasakthi Nagar,
Ayyapakkam, Chennai - 600 077.

..Respondent(s)



PRAYER: This criminal original petition filed under Section 528 BNSS, to call for the records in Cr.No.127 of 2024 on the file of the 1st respondent police and quash the same.

For Petitioner(s): Ms.R.Pushpalatha

For Respondent(s): Mr. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PUBLIC PROSECUTOR
FOR R1

ORDER

The petitioners/accused in crime No.127 of 2024 for offences under Sections 279, 308 IPC & 185 of Motor Vehicles Act, 1988 had filed this quash petition.

2.The case against the petitioners is that the defacto complainant on 20.06.2024 had parked his Maruthi Baleno Car bearing registration No.TN 12-AJ-3079 in front of his friend Aravind's house at Choolaimedu, Chennai. At about 11.30 p.m. while he was entering the house, he heard a loud noise. On turning back, he saw that car bearing Registration No.TN20-AR-1494, which was driven at high speed in a rash and negligent manner, hit the right side of the defacto complainant's parked car. Due to the impact, the defacto



complainant's car pushed forward forcefully and collided with a nearby pillar, causing severe damage to the front right side and the rear left side bumper of his car. Further, the petitioners continued to drive the car with rashness and after hitting the defacto complainant's car, it further collided with other vehicles parked on the side of the road, namely 1.TN10-BH-4125 i20 CAR 2.TN02-AJ-1517 ALTO CAR 3.TN10-BW-5009 KIA CAR and a two wheeler HONDA ACTIVA bearing registration No.TN30-AE-1595. Hence, complaint lodged.

3.The learned counsel appearing for the petitioners as well as the learned counsel for the defacto complainant submitted that it is a car accident, and no one injured, now on the intervention of elders, mutual friends and well-wishers, both the parties amicably settled the issue among themselves. Further, the learned counsel for the defacto complainant submitted that the defacto complainant does not wish to pursue the complaint and has no objection to quash the FIR and related proceedings. Hence, they seek to quash the proceedings pending against the petitioners and in this regard, a Joint compromise entered between them, which is scanned and extracted hereunder:



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CRIMINAL ORIGINAL PETITION
(Under Section 528 of BNSS)
IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Original Jurisdiction)
CRL.O. P No: 451 of 2024

27

(On the file of TIW-Anna Nagar Police Station, Chennai-TIW West)
Crime No:127 of 2024
Mr. T. Arjun
Male, Aged about 27 Years,
S/o. Thangavel
Residing at No. 22/5, Rajaji Street, ThevPalani Nagar, Koluthur,
Chennai - 600099.

Mr. S. Rahulkumar
Male, Aged about 26 Years,
S/o. Santhanam,
Residing at No. 5A, Vallalar Street, Choolaimedu,
Chennai - 600094.

... Petitioners / Accused's

-Vs-

The State represented by
The Inspector of Police, TIW-Anna Nagar Police Station,
Chennai-TIW West.
(Crime No:127/2024)

...1st Respondent / Complainant

Mr. M. Karthik
Male, Aged about 28 Years
S/o. Murugesan,
Residing at No.6, Sivasakthi Nagar, Ayyapakkam,
Chennai - 600077.

...2nd Respondent/De-facto Complainant

JOINT COMPROMISE MEMO

1. The petitioner submits that the 2nd respondent/De-facto Complainant raised a complaint before the 1st respondent against the petitioners for Car accident, and the 1st respondent registered a case in Crime No. 127 of 2024 for the alleged offences under Sections 279, 308 of IPC and under section

P1: T. Arjun

P2: S. Rayhan

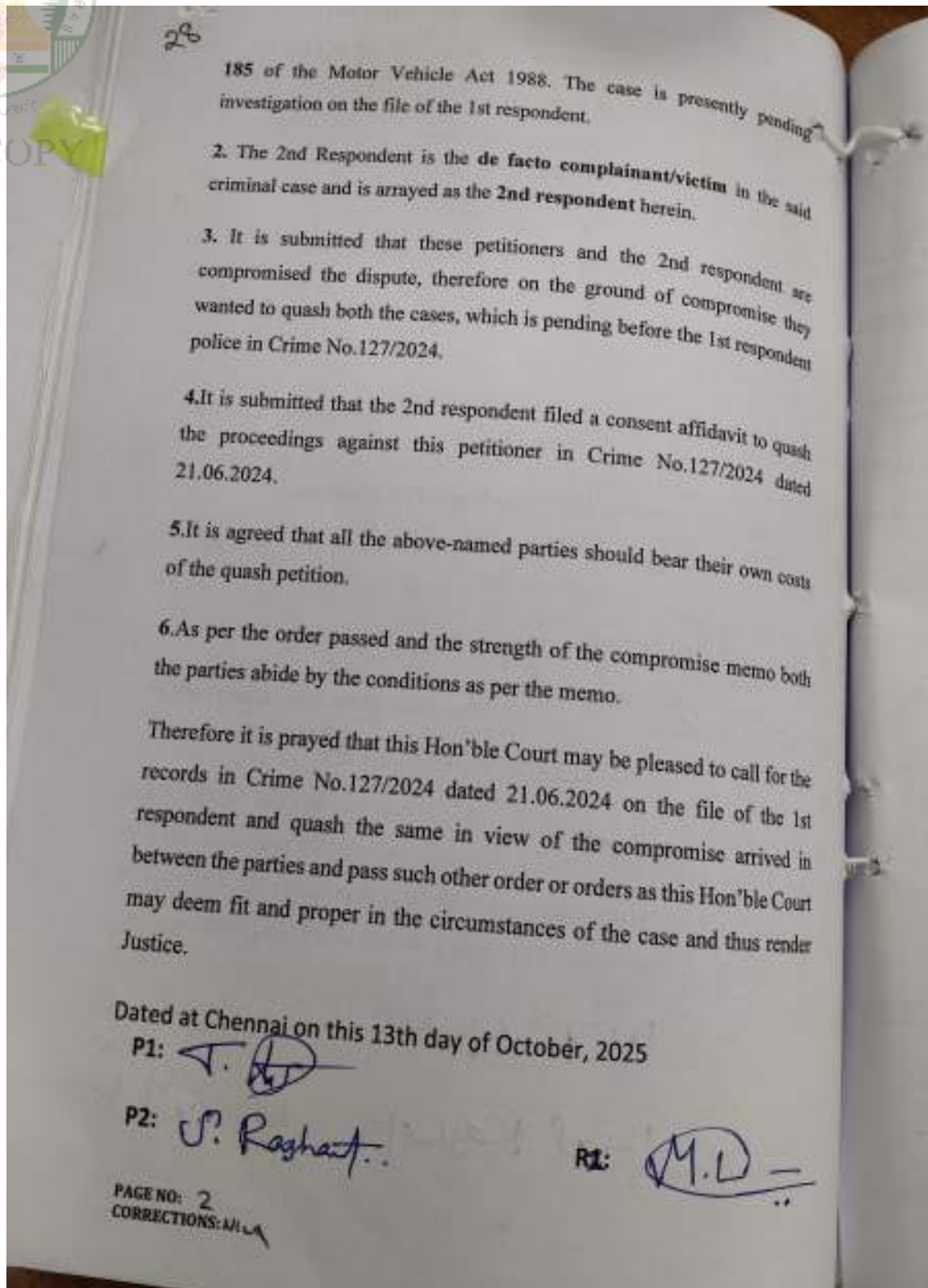
R1: M.L.

PAGE NO: 1

CORRECTIONS: None



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228

185 of the Motor Vehicle Act 1988. The case is presently pending investigation on the file of the 1st respondent.

2. The 2nd Respondent is the **de facto complainant/victim** in the said criminal case and is arrayed as the 2nd respondent herein.

3. It is submitted that these petitioners and the 2nd respondent are compromised the dispute, therefore on the ground of compromise they wanted to quash both the cases, which is pending before the 1st respondent police in Crime No.127/2024.

4. It is submitted that the 2nd respondent filed a consent affidavit to quash the proceedings against this petitioner in Crime No.127/2024 dated 21.06.2024.

5. It is agreed that all the above-named parties should bear their own costs of the quash petition.

6. As per the order passed and the strength of the compromise memo both the parties abide by the conditions as per the memo.

Therefore it is prayed that this Hon'ble Court may be pleased to call for the records in Crime No.127/2024 dated 21.06.2024 on the file of the 1st respondent and quash the same in view of the compromise arrived in between the parties and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render Justice.

Dated at Chennai on this 13th day of October, 2025

P1:

P2:

R1:

PAGE NO: 2
CORRECTIONS:

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



5.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.The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Ms.C.Gnanasundari, WSSI, K-4, Annanagar, TIW Police Station, Chennai.

7.On being enquired by this Court, the *de facto* complainant stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

8.The learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

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 petitioners. 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 is a road accident, vehicles damaged, no one injured, damage repaired. It involves dispute between the petitioners and the second respondent defacto complainant 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 against the petitioners in crime No.127 of 2024 on the file of the first respondent police.

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.127 of 2024 pending on the file of the first respondent police, is quashed as against the petitioners.



12.The affidavits and the Joint Compromise Memo filed by the petitioners and the second respondent defacto complainant for compromising the offences shall form part of the records.

10-04-2026

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

To

1. The Inspector of Police,
TIW-Anna Nagar Police station,
Chennai-TIW West.
Cr.No.127/2024.
2. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

sms

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