



Crl.O.P.No.3798 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3798 of 2026
and Crl.M.P.No.2630 of 2026

1.Bruce Mark Antony

2.Marshall

... Petitioners/A-1 & A-2

Vs.

1. The State of Tamil Nadu rep. by,
The Inspector of Police,
Sankar Nagar PS,
Chennai – 75.
(Crime No.1070/2020)

... 1st Respondent/Complainant

2. Vinothini

... 2nd Respondent/defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to C.C.No.212 of 2023, on the file of the District Munsif cum Judicial Magistrate, Pallavaram and to quash the same.

For Petitioners : Mr.K.M.Mohamed Ziauddin

For R1 : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)

For R2 : Mr.P.Nagoor Meeran



ORDER

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The present Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.212 of 2023, on the file of the District Munsif-cum-Judicial Magistrate Court, Pallavaram, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

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

3. Based on the complaint given by the *de facto* complainant/R2, a case in Cr.No.1070 of 2020 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 294(b), 341 and 506(II) of I.P.C., and Section 4 of the TN Prohibition of Harassment of Women Act, 2002. After completion of investigation, a charge sheet was filed and taken cognizance of, as aforesaid.

4. Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioners. Affidavits and a Joint

2/6



Compromise Memo to that effect have also been filed.

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5. The petitioners and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.P.Paulraj, SI, T4, Sankar Nagar Police Station, Chennai.

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

7. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though the parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

8. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-



CrI.O.P.No.3798 of 2026

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.

9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the second respondent 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 C.C.No.212 of 2023 on the file of the District Munsif Cum Judicial Magistrate Court, Pallavaram, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



Crl.O.P.No.3798 of 2026

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10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in C.C.No.212 of 2023, on the file of the District Munsif-cum-Judicial Magistrate Court, Pallavaram, is quashed as against the petitioners. Consequently, the connected miscellaneous petition is closed.

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

25.02.2026

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Neutral Citation: Yes/No

To

1. The District Munsif-cum-Judicial Magistrate Court,
Pallavaram.
2. The Inspector of Police,
Sankar Nagar Police Station,
Chennai – 75.
3. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.3798 of 2026

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.3798 of 2026

25.02.2026