



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

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

Crl.O.P.No. 30998 of 2025
and Crl.M.P.No.21275 of 2025

1. K.Subramani
S/o. Kannaiyaram,
2. S. Rani
W/o. K. Subramani,
3. S. Naareshkumar
S/o. K. Subramani,
4. N. Sarumathi
W/o. S. Nareshkumar,

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep by The Inspector of Police
Valasaravakkam Police Station,
Koyembedu, Chennai.
2. M. Anbarasi
W/o. Murugan,

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of the BNSS, 2023, seeking to call for the records in Crime No.429 of 2025 on the file of the respondent police and quash the same.

For Petitioner(s): Mr.K.Selvaraj

For Respondent(s): Mr.S.Santhosh
Government Advocate (Crl. Side) - R1
Mr.Adhithiya G J – R2



ORDER

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The present Criminal Original Petition has been filed seeking to quash the F.I.R. registered in Crime No.429 of 2025 on the file of the respondent police, 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, the aforesaid case in Crime No.429 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 296(b), 115(2), 75, 351(2) BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4.Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that the parties are relatives and 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 Compromise Memo to that effect have also been filed.

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.M.Harikrishnan, H.C.37609, R9, Valasaravakkam Police Station, Chennai, Phone No.9498109344.

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. He further submitted that investigation has been completed and e-filing of charge sheet has been done before the learned Judicial Magistrate No.1, Poonammalle on 08.11.2025 and there is no previous case against the petitioners.

8.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.

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 final report which arose from Crime No.429 of 2025 filed before the learned Judicial Magistrate No. I, Poonamallee, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. This Criminal Original Petition stands disposed of accordingly. The final report filed before the learned Judicial Magistrate No. I, Poonamallee, Chennai stands quashed as against the petitioners, on condition that the petitioners shall jointly pay a sum of Rs.10,000/- (Rupees Ten Thousand only)



jointly as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order. Consequently, 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.

27-01-2026

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

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To

1. The Judicial Magistrate No.1
Poonamallee
2. The Inspector of Police
Valasaravakkam Police Station,
Koyembedu, Chennai.
3. The Public Prosecutor
High Court of Madras
Chennai 600 104



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CRL OP No. 30998 of 2



A.D.JAGADISH CHANDIRA, J.

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