



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

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CORAM:

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

CRL O.P. No. 1479 of 2026

IVRCL Chengapalli Tollways Limited
(Wrongly mentioned as ITCL employees in the FIR)
Having its register office at M-22/3RT,
Vijayanagar Colony, Hyderabad - 500 057.
Andhra Pradesh, India,
Rep.by its Authorized Signatory,
Mr.Sathyanand Bhattiprolu,
Chief Financial Officer

..Petitioner

Vs.

1. The State rep by,
The Inspector of Police,
Madukkarai Police Station,
Coimbatore District.
Cr.No.401 of 2025.

2. Praveen Kumar

..Respondents

Criminal Original Petition filed under Section 528 of BNSS to call for the
records relating to Crime No.401 of 2025 dated 25.10.2025, on the file of the 1st
respondent and quash the same.

For petitioner:

Mr.John Sathyan, Senior Advocate
assisted by
M/s.Avinash Krishnan Ravi
& Vikram Veerasamy

For respondents:

Mr.S.Santhosh
Govt Advocate (Crl.Side) for R1
Mr.Sriram Subbaraman for R2

**ORDER**

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This Criminal Original Petition has been filed to call for the records relating to the FIR in Crime No.401 of 2025 dated 25.10.2025 registered for the offences under Section 125(a) of the Bharatiya Nyaya Sanhita, 2023, on the file of the 1st respondent and to quash the same.

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

3. The case of the prosecution is that the petitioner company was entrusted with the job of maintaining the bus shelter near Marakombeni Bus Stop, Salem-Cochin Bypass, Madukkarai Service Road within the limits of Madukkarai Police Station; while so, due to the negligence on the part of the petitioner company in maintaining the bus shelter, it collapsed on 19.10.2025 and one Dinesh who was waiting under the bus shelter, sustained injuries. On the basis of the complaint lodged by the second respondent/de facto complainant who is the brother of the said Dinesh, the above case was registered on 25.10.2025 for the aforesaid offence.

4. The learned Senior Counsel for the petitioner company submitted that the petitioner company has been maintaining the bus shelter properly; however, owing to a heavy downpour on 19.10.2025, the bus shelter had



collapsed, resulting in the said Dinesh sustaining injuries; since the Chief Financial Officer is the authorised signatory of the petitioner company, he has been arrayed as an accused and moreover, he has no role in maintaining the bus shelter; now that the petitioner company has compromised the matter with the second respondent/de facto complainant and the petitioner company also, without prejudice to their rights, has taken care of the medical expenses of the victim and also paid damages for the injuries sustained by him and the second respondent/de facto complainant having withdrawn the complaint, no useful purpose would be served by keeping the impugned FIR pending and hence, the same is liable to be quashed.

5. The learned counsel appearing for the second respondent/de facto complainant also endorsed the submission of the learned counsel for the petitioner company that the matter has been compromised between the parties.

6. The second respondent/*de facto* complainant appeared before this Court in person and the injured Dinesh also appeared *via* Video Conferencing and both of them were identified by the learned counsel for the second respondent/de facto complainant as well as by Mr.M.Sasikumar, SSI, Madukkarai Police Station, Coimbatore District.



7. On being enquired by this Court, the second respondent/*de facto* complainant and the victim submitted that they have amicably settled the dispute with the petitioner company and they are not interested in pursuing the criminal proceedings against the petitioner.

8. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent police submitted that though the parties have 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 the offence 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 petitioner company. 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 offence in question is purely individual/personal in nature. It involves dispute between the petitioner company and the second respondent/de facto 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.

11. In view of the above, the proceedings pending against the petitioner in Crime No.401 of 2025 dated 25.10.2025 on the file of the 1st respondent police is quashed and this criminal original petition is disposed of on condition that the petitioner company pays a sum of Rs.25,000/- 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.

30-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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CRL.O.P. No. 1479 of 2



A.D.JAGADISH CHANDIRA, J.

shl/cad

- To
1. The Inspector of Police,
Madukkarai Police Station,
Coimbatore district.
Cr.No.401 of 2025.
 2. The Public Prosecutor
High Court of Madras

CRL OP No. 1479 of 2026

30-01-2026