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CrI.O.P.No.32886 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM:

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

CrI.O.P.No.32886 of 2025
and CrI.M.P.No.22944 of 2025

1. Rameji
2. Durga
3. Sushanth
4. Pranesh
5. Venkatesh
6. Krishnakumar ... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
D3, Icehouse Police Station,
Chennai – 600 005.
(Crime No.303 of 2024)
2. Ramachandran ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in C.C.No.3106 of 2025, pending on the file of the learned Metropolitan Magistrate No.II, Egmore, Chennai and quash the same as against the petitioners.



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For Petitioners : Mr.Prahalad K.Bhat
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)
For R2 : Mr.Prassanth Narayanan PM

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.3106 of 2025 on the file of the learned Metropolitan Magistrate No.II, Egmore, Chennai, pending against the petitioners, 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 Crime No.303 of 2024 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 288 and 125(a) of the BNS and later, altered into one under Sections 288 and 125(b) of the BNS. After completion of investigation, the final report was filed and the same was taken cognizance of on the file of



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the learned Metropolitan Magistrate No.II, Egmore, Chennai, in C.C.No.3106 of 2025, which is now sought to be quashed.

4. Learned counsel appearing for the petitioners as well as for the second respondent/*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 case in C.C.No.3106 of 2025 as against the petitioners. Affidavits and Joint Memo of Compromise to that effect have also been filed.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by Mr.L.K.Heminder, SSI, D3, Ice House Police Station.

6. 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.

7. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though the parties have entered



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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 the 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-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.



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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 case in C.C.No.3106 of 2025 on the file of the learned Metropolitan Magistrate No.II, Egmore, Chennai, pending against the petitioners pertaining to Crime No.303 of 2024, registered by the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands disposed of and the proceedings in C.C.No.3106 of 2025, pending on the file of the learned Metropolitan Magistrate No.II, Egmore, Chennai, is quashed as against the petitioners, on condition that the petitioners shall pay a sum of **Rs.5,000/- (Rupees Five Thousand only) each** 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.



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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. Consequently, the connected miscellaneous petition is closed.

22.01.2026

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Neutral Citation: Yes/No

To

1. The Metropolitan Magistrate No.II,
Egmore, Chennai.
2. The Inspector of Police,
D3, Icehouse Police Station,
Chennai – 600 005.
3. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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and CrI.M.P.No.22944 of 2025***

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