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CRL OP No. 98 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

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

**CRL OP No. 98 of 2026
and Crl.M.P.No.99 of 2026**

Manoj Kumar

..Petitioner(s)

Vs

1. The State Rep. by
The Inspector of Police,
Singarapetta Police Station,
Krishnagiri.

2. Muthulakshmi

..Respondent(s)

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in connection with PRC No.20/2025 on the file of the Judicial Magistrate, Uthangarai, compromise and quash the same.

For Petitioner : Mr.T.Arul
For Respondent-1 : Mr.S.Santhosh,
Government Advocate (Criminal Side)

For Respondent-2 : Ms.P.Lavanya

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in PRC No.20 of 2025, pending on the file of the learned Judicial Magistrate, Uthangarai, on the basis of the compromise arrived at between the petitioner and the *de facto* complainant/second respondent.



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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.60 of 2025 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 69, 88, 3(5), 64(2)(m), 64(2)(h), 316(2), 318(2), 318(4) and 351(2) of the BNS, 2023.

4. Learned counsel appearing for the petitioner submitted that there was a consensual relationship between the petitioner and the *de facto* complainant. Later, due to certain misunderstanding, there was a split between them resulting in the *de facto* complainant giving a complaint against the petitioner.

5. Learned counsel appearing for the petitioner 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 in PRC No.20 of 2025 as against the petitioner. Affidavits and Joint Memo of Compromise to that effect have also been filed.

6. The petitioner and the *de facto* complainant/R2 appeared before this



Court and they were identified by their respective counsel as well as by Mr.C.Sathyamoorthy, SSI, Singarapettai Police Station, Krishnagiri.

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

8. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though this petition has been filed to quash PRC No.20 of 2025, pending on the file of the learned Judicial Magistrate, Uthangarai, the case has now been committed to the Special Mahila Court, Krishnagiri in S.C.No.167 of 2025 and the case stands posted on 20.01.2026. He further 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.

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. 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 are purely individual/personal in nature. It involves dispute between the petitioner 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 S.C.No.167 of 2025 on the file of the learned Special Mahila Judge, Krishnagiri, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands disposed of and the S.C.No.167 of 2025 on the file of the learned Special Mahila Judge,



Krishnagiri, is quashed as against the petitioner/A-1, and the accused 2 and 3, who are the parents of the petitioner, on condition that the petitioner and his parents shall jointly pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 criminal miscellaneous petition is closed.

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

08-01-2026

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

Note: Issue order copy on 19.01.2026
To

1. The Special Mahila Judge, Krishnagiri.
2. The Judicial Magistrate, Uthangarai.
3. The Inspector of Police,
Singarapetta Police Station, Krishnagiri.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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