



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

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

CRL OP No. 35315 of 2025

1. Sasikumar
S/o.Seenuvasan,
No.172, Road Street,
Indiravanam (Post),
Indiravanamm,
Tiruvannamalai District-632 313.
2. Lakshmanan
S/o.Anbzhagan,
No.2/206, NKS Nagar,
Karapakkam,
Kancheepuram District-600 097.
3. Sivaguhan
S/o.Ramalingam,
No.16, Subbarayampalayam,
Malayampalayam,
Erode-638154.

..Petitioner(s)

Vs

1. The State rep.by, The Inspector of Police,
K-3, Aminjikarai Police station,
Chennai.
Cr.No.362/2025.
2. Jagannath Bauri
S/o.Khatrapal Bauri,
Paratpur,
Ghoratori,
Birbhum,
West Bengal-731124.

..Respondent(s)



PRAYER: This petition has been filed seeking to call for the records and to quash the FIR in Crime No.362 of 2025 dated 05.06.2025 registered by the Inspector of Police, on the file of K-3 Aminjikarai Police Station, Chennai.

For Petitioner(s): Mr.K.V.Muthuvisakan

For Respondent(s): Mr.K.M.D.Muhilan, Addl.Public Prosecutor for R1
Mr.K.Babu for R2

ORDER

This petition has been filed seeking to call for the records and to quash the FIR in Crime No.362 of 2025 dated 05.06.2025 registered by the Inspector of Police, on the file of K-3 Aminjikarai Police Station, Chennai.

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

3.The learned counsel for the petitioner would submit that based on the complaint given by the second respondent/de facto complainant, the first respondent has registered a case in Crime No.362 of 2025 under Section 125(b) of BNS, 2023. The second respondent/de facto complainant later came to know



that there was no negligence or mistake on the part of the petitioners and he has agreed to compromise the matter. The petitioners have also paid compensation of Rs.1 lakh towards medical expenses to the de facto complainant/second respondent. The second respondent/ de facto complainant has also agreed for quashment of the FIR.

4. Learned counsel appearing for both the petitioners and the *de facto* complainant submitted that the petitioners are employees of M/s.Blue Ocean Personnel & Allied Services Private Ltd and the de facto complainant is a sub-contractor of L& T Technology Services. On the date of the occurrence, while the de facto complainant was employed in the M/s.Blue Ocean Personnel & Allied Services Private Ltd, the drill of the breaker machine accidentally came into contact with an underground electrical cable, resulting in the de facto complainant sustaining injuries. Even though the accident took place, the petitioners are no way responsible for the same. They further submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the aforesaid case as against the petitioners. Affidavits and a 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 learned counsel as well as



by the Inspector of Police, K-3, Aminjikarai Police Station, Chennai.

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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 Additional Public Prosecutor 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 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.

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 Crime No.362 of 2025, pending on the file of the Inspector of Police, K-3, Aminjikarai Police Station, Chennai, in exercise of its jurisdiction under Section 528 of BNSS.

10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Crime No.362 of 2025, pending on the file of the Inspector of Police, K-3, Aminjikarai Police Station, Chennai, is quashed as against the petitioners.



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.

18-02-2026

Neutral Citation: Yes/No

DN

To

1. The Inspector of Police,
K-3, Aminjikarai Police station,
Chennai.

2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA J.

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