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Crl.O.P.No.3207 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM:

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

Crl.O.P.No.3207 of 2026

1. P.Govindasamy
2. Prabhavathy ...Petitioners

Vs.

1. State of Tamil Nadu rep. by,
The Inspector of Police,
B-13, Pothanur Police Station,
Coimbatore District.
Crime No.180 of 2011.
2. S.Kalliswari @ Vanitha
3. State of Tamil Nadu rep. by,
The Inspector of Police,
Central Crime Branch-II, Land Grabbing,
Coimbatore District.

(R3-impleaded, vide order dated 18.02.2026 made in
Crl.M.P.No.2926 of 2026 in Crl.O.P.No.3207 of 2026) ...Respondents

Criminal original petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records
pertaining to the FIR dated 02.02.2011 in Crime No.180 of 2011, on the file
of the 1st respondent and quash the same.



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For Petitioners : Mr.K.S.Karthik Raja

For Respondents : Mr.K.M.D.Muhilan, APP, for R1 & R3
: Mr.A.M.Esakkiappan, for R2

ORDER

This criminal original petition has been filed seeking to quash the First Information Report in Crime No.180 of 2011, initially registered on the file of the 1st respondent and subsequently transferred to the file of the 3rd respondent-police, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/2nd respondent.

2. Heard the learned counsel on either side and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, the aforesaid FIR in Crime No.180 of 2011 came to be registered on the file of the 1st respondent-police as against the petitioners, for the offences under Sections 419, 467, 468, 476 and 420 of IPC and the same was later transferred to the file of the 3rd respondent-police.



4. Learned counsel for the petitioners as well as for the 2nd respondent/*de facto* complainant submitted that the 1st petitioner is the father and the 2nd petitioner is stepmother of the 2nd respondent/*de facto* complainant and due to some misunderstanding, the present FIR came to be registered and that the parties have now amicably settled the issue among themselves. Hence, they seek to quash the First Information Report 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 Ms.D.Kanitha, SSI, CCB-II, Coimbatore District.

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 Additional Public Prosecutor appearing on behalf of the 1st and 3rd respondents submitted that though the parties have entered into a compromise while this case is pending, this Court, taking into account the

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seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise.

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 2nd respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served



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in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the First Information Report in Crime No.180 of 2011 pending on the file of the 3rd 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 First Information Report in Crime No.180 of 2011, pending on the file of the 3rd respondent-police is quashed as against the petitioners, on condition that the petitioners pay a sum of Rs.10,000/- (Rupees Ten 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.

11. The affidavits and the Joint Memo of Compromise filed by the petitioners and the 2nd respondent for compromising the offences shall form part of the records.

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Neutral Citation: Yes/No



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To:

1. The Inspector of Police,
B-13, Pothanur Police Station,
Coimbatore District.
2. The Inspector of Police,
Central Crime Branch-II, Land Grabbing,
Coimbatore District.
3. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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