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CRL OP No. 35310 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 35310 of 2025

Sakthivel.M

Petitioner

Vs

1. State Rep. by,
The Inspector of Police,
J4, Kotturpuram Police Station,
Chennai District.
Crime No.280 of 2025

2.Pooja .S

Respondents

PRAYER This Criminal Original Petition is filed under Section 528 of BNSS to call for the records relating to Crime No.280 of 2025 on the file of the respondent Police and quash the same on the ground of compromise.

For Petitioner(s): Mr.T.Balaji

For Respondent(s): Mr.K.M.D.Muhilan,
Additional Public Prosecutor for R1
Mr.S.Snehan Kandasamy for R2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.280 of 2025 on the file of the respondent Police registered for the offences under Sections 115(2) of the BNSS,2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, on the ground of compromise.



2. The case of the prosecution is that while the de facto complainant was returning home from her college in a private autorickshaw, the petitioner, without following the traffic rules, drove his car using mobile phone and hit the autorickshaw in which the petitioner was travelling, which led to a wordy quarrel between the parties, culminating into the petitioner slapping the de facto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the parties have entered into a compromise between themselves. The de facto complainant / second respondent has no grievance as against the petitioner and to that effect, a Memo of Compromise dated 08.12.2025, has also been filed.

4. The petitioner and the de facto complainant were present before this Court at the time of hearing and they were identified by their respective counsel and Mr.Nirmal.S, HC-44534, J4 Kotturpuram Police Station, Chennai.

5. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. The 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 offences of this nature can be quashed on the ground of compromise between parties.

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7. 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 Gujrat*, 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./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.

8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the 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.



9. In view of the above, this Court is inclined to quash the FIR against the petitioners in Crime No.280 of 2025 on the file of the first respondent Police, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.

10. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No.280 of 2025 on the file of the first respondent Police, is quashed, as against the petitioner, subject to condition that the petitioner shall pay costs of Rs.5,000/- (Rupees Five Thousand Only) to the credit of Tamil Nadu State Legal Services Authority, Madras High Court Campus, Chennai 600 104, on or before 13.02.2026.

11. The Memo of Compromise dated 08.12.2025, filed by the parties for compromising the offences shall form part of the records.

12. Post the matter on 16.02.2026 “for reporting compliance.”

21-01-2026

Note: Issue order copy on 30.01.2026

vum

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



To

1. The Inspector of Police,
J4, Kotturpuram Police Station,
Chennai District.

2. The Public Prosecutor,
Madras High Court, Chennai.



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A.D.JAGADISH CHANDIRA J.

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