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CrI.O.P.No.35273 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2026

CORAM:

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

CrI.O.P.Nos.35273 of 2025 & 1159 of 2026
and
CrI.M.P.Nos.24818 of 2025 & 701 of 2026

CrI.O.P.No.35273 of 2025

1.Arivalagan
2.Sundararajan
3.Mugesh

...Petitioners

CrI.O.P.No.1159 of 2026

Ranjith

...Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Mecheri Police Station,
Salem District.
(Cr.No.628/2025)

2.Raja

...Respondents in both CrI.Ops

Criminal Original Petitions filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for records and quash the FIR in Crime No.628 of 2025 dated 09.10.2025 on the file of the Inspector of Police, Mecheri police station, Salem for offences U/s.296(b), 351(3) BNS, 2023 and 28 Arms Act, 1959 as against the petitioners.



Crl.O.P.No.35273 of 2025

In both Crl.OPs.

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For Petitioners : Mr.A.Ashok Kumar
For R1 : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
For R2 : Mr.S.Kuberan

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the First Information Report in Crime No.628 of 2025, pending against the petitioners, on the file of the first respondent Police, 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, the aforesaid case in Crime No. 628 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 296(b) and 351(3) of the BNS, 2023 and Section 28 of the Arms Act, 1959.



4. Learned counsel appearing for the petitioners 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 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 Mr.K.Govindaraj, SSI, Mecher Police Station, Salem District.

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 (CrI.Side) appearing on behalf of the first respondent 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.

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 cases, 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 First Information Report in Crime No.628 of 2025 pending on the file of the first respondent police, in exercise of its

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jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

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10. Accordingly, these Criminal Original Petitions stand disposed of. Consequently, the connected Criminal Miscellaneous Petitions are closed. The First Information Report in Crime No.628 of 2025 pending on the file of the first respondent police is quashed as against the petitioners, on condition that the petitioners jointly pay a sum of Rs.40,000/- (Rupees Forty 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.

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.

09.02.2026

rpl

Neutral Citation: Yes/No

To

1.The Inspector of Police,
Mecheri Police Station,
Salem District.

2.The Public Prosecutor,

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High Court of Madras,
Chennai.

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A.D.JAGADISH CHANDIRA, J.

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CrI.O.P.Nos.35273 of 2025 & 1159 of 2026

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