



CrI.O.P.No.36175 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM:

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

CrI.O.P.No.36175 of 2025

1. Lakshmi
2. Ramesh
3. S.Solomon ... Petitioners

Vs.

1. State Rep. by its,
The Inspector of Police,
K-1, Sembiam Police Station.
(Cr.No.306 of 2024)
2. Faridha Banu ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the entire records of the FIR in Cr.No.306 of 2024 on the file of the respondent police.

For Petitioners : Mr.S.Senthilvel
For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor
For R2 : Mr.E.Shantha Kumar

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.306 of 2024, pending



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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. 306 of 2024 was registered on the file of the first respondent Police against the petitioners and others, for the offences under Sections 191(2), 296(b) and 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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. A Joint Memo of Compromise to that effect has also been filed.

5. The petitioners and the *de facto* complainant/R2 appeared



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before this Court and they were identified by their respective counsel as well as by Mr.N.Elango, K-1, Sembium Police Station.

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 first respondent police submitted that there are totally four accused in this case, however, A4 has not filed the above petition. He further submits 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



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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 First Information Report in Crime No.306 of 2024 pending on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands allowed and the First Information Report in Crime No.306 of 2024 pending on the file of the first respondent police is quashed as against the petitioners and



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the fourth accused, in entirety.

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

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
K-1, Sembiam Police Station.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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