



CrI.O.P.No.441 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM:

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

CrI.O.P.No.441 of 2026

and

CrI.MP.No.258 of 2026

1. K.Sumathy
2. R.Revathi ...Petitioners

Vs.

1. State rep. by,
The Inspector of Police,
Tambaram Police Station,
Chennai.
2. J.Kumaravelu ...Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in relation to FIR in Crime No.424 of 2025, on the file of Tambaram Police Station (Crime) and quash the same, on the basis of compromise between the petitioners and the 2nd respondent/de facto complainant.

For Petitioners : Mr.A.R.Lakshmi Narayanan

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1
: Mr.G.Elanchezian, for R2



ORDER

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The present criminal original petition has been filed seeking to quash the First Information Report in Crime No.424 of 2025, pending against the petitioners, on the file of the 1st 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 case in Crime No.424 of 2025 was registered on the file of the 1st respondent-Police against the petitioners for the offence under Section 305(a) of BNS, 2023.

4. Learned counsel appearing for the petitioners as well as the learned counsel for the 2nd respondent submitted 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 a Joint Memo of Compromise to that effect have also been filed.



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5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by the learned counsel on either side as well as by Mr.D.Silambarasan, SI of Police, T1 Tambaram (Crime) Police Station.

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 (Crl. Side) appearing on behalf of the 1st respondent submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether an offence 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 offence pending against the petitioners. The Hon'ble Supreme Court, in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State***



CrI.O.P.No.441 of 2026

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 offence in question is 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 in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the First Information Report in Crime No.424 of 2025 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.424 of 2025 pending on the file of

4/6



Crl.O.P.No.441 of 2026

the first respondent police is quashed as against the petitioners, in view of the compromise arrived at between the parties. Consequently, the connected miscellaneous petition is closed.

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

12.01.2026

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Tambaram Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.441 of 2026

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.441 of 2026
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12.01.2026