



Crl.O.P.Nos.276 and 896 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

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CORAM:

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

Crl.O.P.Nos.276 & 896 of 2026

Crl.O.P.No.276 of 2026

Parthipan

... Petitioner \

Vs.

1. The State of Tamil Nadu,
The Inspector of Police,
K-11, CMBT Police Station,
Koyambedu, Chennai – 600 051.
(Crime No.363 of 2025)

2. Dinesh

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records and quash the First Information Report in Crime No.363 of 2025 pending on the file of the 1st Respondent as against the petitioner herein.

For Petitioner : Mr.M.Prema

For R1 : Mr.S.Santhosh

Government Advocate (Criminal Side)

For R2 : Mr.P.Kabilan

Crl.O.P.No.896 of 2026

Dinesh

... Petitioner

Vs.

1. The State of Tamil Nadu,
The Inspector of Police,
K-11, CMBT Police Station,
Chennai – 600 051.
(Crime No.363 of 2025)



CrI.O.P.Nos.276 and 896 of 2026

2. Parthiban

... Respondents

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Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records and quash the First Information Report in Cr.Nos.362 of 2025 pending on the file of the 1st Respondent as against the petitioner herein.

For Petitioner : Mr.P.Kabilan
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)
For R2 : Mr.M.Prema

COMMON ORDER

The present Criminal Original Petitions have been filed to quash the First Information Reports in Crime Nos.363 and 362 of 2025 respectively, on the file of the first respondent Police, on the ground of compromise.

2. Heard both sides and perused the materials available on record.

3. This is a case of case and counter and both the FIRs have been registered for the offences under Sections 296(b), 118(1) and 351(3) of the BNS, 2023.



4. Learned counsel appearing for the petitioners and the *de facto* complainants submitted that on the advice of elders, the issue has been settled amicably and affidavits and Joint Memo of Compromise to that effect have also been filed and hence, the impugned First Information Reports may be quashed.

5. The petitioners and the *de facto* complainants appeared before this Court and they were identified by their respective counsel as well as by Ms.M.Sumalatha, WGr-I Police Constable, K-11 CMBT Police Station, Chennai.

6. On being enquired by this Court, the petitioners and the *de facto* complainants stated that they have amicably settled the dispute between themselves and they are not willing to pursue the criminal proceedings pending against each other and therefore, seeks to quash the same.

7. Learned Government Advocate (Criminal 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



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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 *de facto* complainants and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be



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served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the First Information Reports in Crime Nos.363 and 362 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, these Criminal Original Petitions stand disposed of and the First Information Reports in Crime Nos.363 and 362 of 2025 pending on the file of the first respondent police is quashed as against the petitioners, on condition that the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each as costs to the Tamil Nadu Advocates' Clerks Association, New Additional Law Chambers Basement, 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 *de facto* complainants for compromising the offences shall form part of the records.

09.01.2026

srm

Neutral Citation: Yes/No



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A.D.JAGADISH CHANDIRA, J.

SRM

To

1. The Inspector of Police,
K-11, CMBT Police Station,
Koyambedu, Chennai – 600 051.
2. The Secretary,
Tamil Nadu Advocates' Clerks Association,
New Additional Law Chambers Basement,
High Court Campus, Chennai 600 104.
3. The Public Prosecutor,
High Court of Madras.

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