



Crl.O.P.No.5342 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.5342 of 2023
and Crl.M.P.Nos.3361 & 3362 of 2023

Dr.P.Balakrishnamurthy

... Petitioner

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
District Crime Branch
Kanchipuram
Crime No.69 of 2014

2. Arun Rajkumar Fredrick

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.8 of 2023 pending on the file of the learned Judicial Magistrate – 1, Tambaram and quash the same as against the petitioner.

For Petitioner	:	Mr.C.Umashankar
For R1	:	Mr.K.M.D.Muhilan
		Additional Public Prosecutor
For R2	:	Mr.A.Nagarajan

ORDER

The Criminal Original Petition has been filed seeking to quash the C.C.No.8 of 2023 pending on the file of the learned Judicial Magistrate – 1, Tambaram and quash the same as against the petitioner for the alleged offences punishable under Sections 408, 420 read with 34 of IPC.



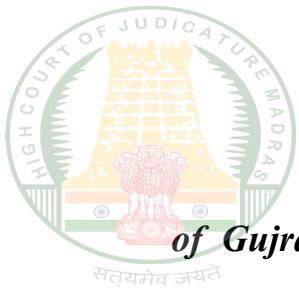
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WEB COPY 2. Today, the petitioner and the defacto complainant/second respondent have filed a joint memo of compromise stating that they have settled the dispute with the de facto complainant amicably and hence, seek to quash the Charge-sheet as against the petitioner.

3. The petitioners and the de-facto complainant/R2 appeared through video conferencing and were identified by their respective counsel as well as by Mr.S.Gunasekaran, Inspector of Police, Central Crime Branch, Team 5, EDF-I, Tambaram City Police, Sholinganallur, Chennai – 600 119.

4. On being enquired by this Court, the defacto complainant stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the the criminal proceedings and therefore, seeks to quash the same.

5. 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*



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of *Gujrath*, reported in **2017 9 SCC 641** and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in **(2019) 2 MLJ**

Crl 10, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C, 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 it gets settled between the parties, cannot be quashed by this Court.

6. 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. Further, the Hon'ble Supreme Court in *K.Bharthi Devi v. State of Telengana* reported in **(2024) 10 SCC 384**, has held that the offences, which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions, where the wrong is basically



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to the victim, and the offender and the victim have settled all the disputes between them amicably, can be quashed by the High Court in exercise of its jurisdiction under Section 482 Cr.P.C.

7. In view of the above, this Criminal Original Petition is allowed. The Charge-sheet in C.C.No.8 of 2023 pending on the file of the learned Judicial Magistrate-1, Tambaram is quashed as against the petitioner. Consequently, connected miscellaneous petitions stand closed. The Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the record.

25.09.2025

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
District Crime Branch
Kanchipuram
2. The Judicial Magistrate No-1, Tambaram
3. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.



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