



Crl.O.P.No.6024 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.6024 of 2023
and Crl.M.P.Nos.3787 & 3788 of 2023

T.Yamuna

... Petitioner

Vs.

1.State, represented by
The Inspector of Police
Ambattur SRMC Police Station
Ambattur District
Crime No.42 of 2022

4.Allwinraj

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of CrPC, to call for the records pertaining to the case pending in C.C.No.102 of 2022 on the file of the learned Judicial Magistrate-I, Poonamallee and quash the same as against the petitioner.

For Petitioner : Mr.E.Abdul Wajith
for Mr.B.Arvind Srevatsa
For R1 : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition has been filed seeking to quash the case pending in C.C.No.102 of 2022 on the file of the learned Judicial Magistrate-I, Poonamallee and quash the same as against the petitioner for



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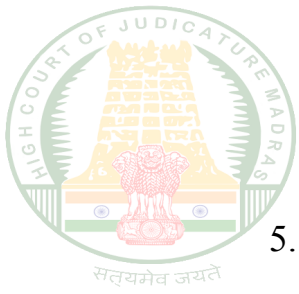
the alleged offences punishable under Sections 294(b), 341 and 506(1) of

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2. Today, the learned counsel for the petitioner submitted that the petitioner and the second respondent have entered into a deed of compromise dated 07.04.2025 in and by which they have agreed to withdraw all the criminal and civil cases pending against each other. Hence, seeks for quashment of the case pending in C.C.No.102 of 2022 on the file of the learned Judicial Magistrate-I, Poonamallee

3. The petitioner has stated that she has settled the dispute with the defacto complainant amicably and hence, seek to quash the chargesheet. They have filed the deed of compromise entered into between them dated 07.04.2025 to that effect.

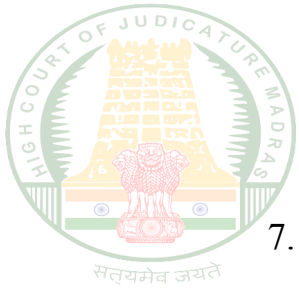
4. The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by Mr.N.Elumalai, Sub Inspector, T15, SRMC, Porur Police Station.



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5. 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 the criminal proceedings and therefore, seeks to quash the same.

6. 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 petitioner. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State 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.



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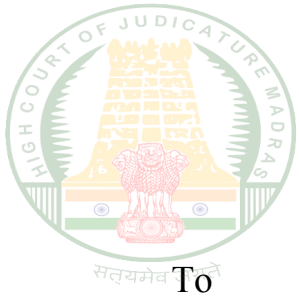
7. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with 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 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.

8. In view of the above, this Criminal Original Petition is allowed. The charge-sheet in C.C.No.102 of 2022 on the file of learned Judicial Magistrate-I, Poonamallee, is quashed as against the petitioner. Consequently, connected miscellaneous petitions stand closed. The Deed of compromise entered into between the petitioner and the defacto complainant dated 07.04.2025 shall form part of the record.

09.09.2025

dhk

Neutral Citation: Yes/No



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To
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- 1.The Judicial Magistrate-I
Poonamallee
2. The Inspector of Police
Ambattur SRMC Police Station
Ambattur District
- 3.The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

dhk

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