



WEB COPY



Crl.O.P.No.7417 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No. 7417 of 2024

1. P.Uma Maheswari
2. Manohar ... Petitioners

Vs.

1. State rep. by
The Inspector of Police,
District Crime Branch,
Kancheepuram.
2. Deepak ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records on the file of the first respondent- Police and quash the first information report registered on the file of the first respondent in Crime No.9 of 2023.

For Petitioners : Mr.V.Paarthiban
For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor, for R1
Mr.N.S.Suganthan
for M/s.NSS Advocacy LLP
for R2



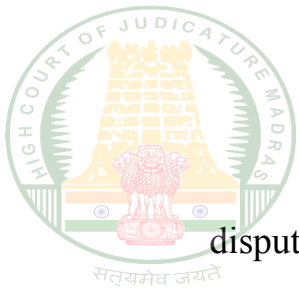
Crl.O.P.No.7417 of 2024

ORDER

WEB COPY This Criminal Original Petition is filed to quash the FIR in Crime No.9 of 2023 on the file of the first respondent-Police for the offence under Section 420 IPC.

2. According to the petitioners, based on the complaint given by the second respondent/*de-facto* complainant, the first respondent-Police registered a case in Crime No.9 of 2023 for an offence punishable under Section 420 IPC against the petitioners. After registering an FIR in Crime No.9 of 2023, the first petitioner and the second respondent/*de-facto* complainant have arrived at a compromise in order to settle the issue amicably and a Memorandum of Understanding was entered on 10.01.2024 to that effect. Hence, the present petition is filed by the petitioners to quash the FIR in Crime No.9 of 2023 based on the Memorandum of Understanding dated 10.01.2024.

3. Today, when the matter was taken up for hearing, the petitioners and second respondent/*de-facto* complainant appeared before this Court and they are identified by the first respondent-Police. This Court enquired the *de-facto* complainant and he stated that they had amicably settled the



Crl.O.P.No.7417 of 2024

dispute between themselves and he is not willing to proceed with the the
criminal proceedings and seeks to quash the same.

4. The learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, 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.

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 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



Crl.O.P.No.7417 of 2024

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 offence in question are purely individual/personal in nature. It involves dispute between the petitioner and the *de-facto* complainant 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 registered in Crime No.9 of 2023 pending on the file of the first respondent-Police in exercise of its jurisdiction under Section 482 of the Criminal.

7. Accordingly, this Criminal Original Petition is allowed and First Information Report registered in Crime No.9 of 2023 pending on the file of the first respondent-Police, is hereby quashed as against the petitioners. The Memo of Understanding dated 10.01.2024 entered into between the first petitioner and the second respondent shall form part of



Crl.O.P.No.7417 of 2024

the records. There shall be no order as to costs.

WEB COPY

08.09.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

ms

To

1. The Inspector of Police,
District Crime Branch,
Kancheepuram.
2. The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.7417 of 2024

N. SATHISH KUMAR, J.

ms

CrI.O.P.No.7417 of 2024

08.09.2025