



Crl.O.P.No.24049 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.24049 of 2025

1.Avinash Sivanantham
2.Arun Karthick

... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
Semmancheri Police Station
Pallikaranai Police District
Crime No.139 of 2024

2. Janarthanan

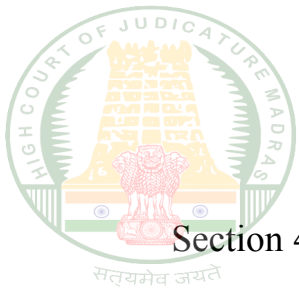
... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to Cr.No.139 of 2024 against the petitioners on the file of the Sub-Inspector of Police, Semmancheri Police Station and quash the same based on the compromise arrived between the parties.

For Petitioners : Mr.G.M.Gokul Ram
for M/s.Ram Gokul Advocates and Associates
For R1 : Mr.R.Vinothraja
Government Advocate (Crl.Side)
For R2 : Mr.S.Elangovan for R2

ORDER

The Criminal Original Petition has been filed seeking to to call for the records relating to Cr.No.139 of 2024 against the petitioners for the alleged offences punishable under Sections 294(b), 323, 334A, 309, 358 of IPC and



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Section 4 of TN Prohibition of Harassment of Women Act, 2002 on the file of the Sub-Inspector of Police, Semmancheri Police Station and quash the same based on the compromise arrived between the parties.

2.The crux of the allegations in the FIR is that on 24.05.2024, when the defacto complainant returning to his home, the accused suddenly collided the defacto complainant's car and showed disrespectful gesture towards the defacto complainant's girlfriend. Hence, the FIR.

3.The petitioners and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.Bright Jabavino, Special Sub-Inspector of Police, T-16 Semmancheri Police Station.

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



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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* 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.

N. SATHISH KUMAR, J.



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WEB COPY 7. In view of the above, this Criminal Original Petition is allowed.

The FIR in Cr.No.139 of 2024 pending on the file of the first respondent is quashed as against the petitioners. The Joint Compromise Memo filed by the petitioners and the second respondent for compromising the offences shall form part of the record.

08.10.2025

dhk

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Semmancheri Police Station
Pallikaranai Police District
2. The Public Prosecutor,
High Court of Madras.

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