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CRL OP No. 17249 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 17249 of 2023

and

CRL MP No.11176 of 2023

1. MANIMEKALAI

2. RAGUL

Petitioner(s)

Vs

1. State Rep By
The Inspector Of Police,
Valavanthinadu Police Station,
Namakkal District.
Cr.No. 153/2021.

2.PUSHPA

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to a case in CC.NO.51/2023 on the file of the Judicial Magistrate, Sendamangalam.



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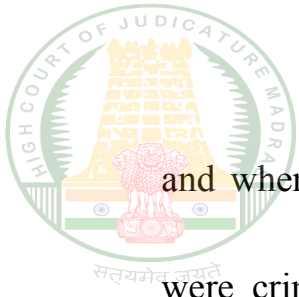
For Petitioner(s): Mr. M.Subash
For R1 Mr.K.M.D.Muhilan
Additional Public Prosecutor
For R2 Mr. N. Manoharan

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to a case in CC.NO.51/2023 on the file of the Judicial Magistrate Court, Sendamangalam.

2. Heard the learned counsel for the petitioners, the learned counsel for the second respondent/de-facto complainant and the learned Additional Public Prosecutor appearing for the first respondent-Police and perused the materials available on record.

3. The allegations against the accused in the Final Report is that the petitioners along with other accused trespassed into the second respondent's land and had cut the banana cluster worth about Rs.1500/- from the banana tree



and when the same was questioned by the second respondent, the petitioners were criminally intimidated her using filthy language. After completion of investigation, the first respondent-Police filed a charge sheet and the same was taken on file in C.C.No.51 of 2023 on the file of the Judicial Magistrate Court, Sendamangalam.

4. The petitioners along with the second respondent/defacto complainant has filed Joint Compromise Memo, wherein it has been stated that they have amicably settled the issues between themselves and hence, seek to quash the case in C.C.No.51 of 2023 on the file of the Judicial Magistrate, Sendamangalam.

5. Mr.A.Steephan Lurdu Raj, Special Sub Inspector of Police, Valavanthinadu Police Station was present before this Court and he informed this Court that the defacto complainant and the petitioners had approached him and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.



6. The defacto complainant is also present before this Court at the time of hearing. This Court enquired the defacto complainant and she had stated that they had amicably settled the dispute between themselves and she is not willing to proceed with the the criminal proceedings and seeks to quash the same.

7. The learned Additional Public Prosecutor appearing on behalf of the first respondent-Police submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the nature 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.

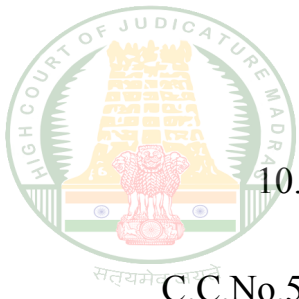
8. The main issue that requires the consideration of this Court is, as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath***, reported 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



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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.

9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto 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 Final Report filed in the case in C.C.No.51 of 2023 on the file of the Judicial Magistrate Court, Sendamangalam in exercise of its jurisdiction under Section 482 of Cr.P.C.



10. Accordingly, this Criminal Original Petition is allowed and the case in

C.C.No.51 of 2023 on the file of the Judicial Magistrate Court,

Sendamangalam, is quashed. The Joint Compromise Memo filed by the

petitioners and the second respondent for compromising the offences shall form

part of the records. Consequently, connected miscellaneous petition is closed.

19-09-2025

mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate ,
Sendamangalam,

2. The Inspector Of Police,
Valavanthinadu Police Station,
Namakkal District.

3. The Public Prosecutor,
High Court, Chennai.



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