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CRL OP No. 23238 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-08-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 23238 of 2025 &
Crl.M.P.No.15887 of 2025**

S. Deepak Sundaram

..... Petitioner(s)

Vs

1. State Rep by, Inspector of Police,
W-7, All Women Police Station, Anna
Nagar, Chennai 600040. (Crime No.
23/2025)

2. (redacted)

.... Respondent(s)

PRAYER

Petition filed under section 482 of Cr.P.C., to call for the records in Crime No. 23/2025 on the file of the 1st respondent and Quash the same.

For Petitioner(s): Mr. A. Saravanan

For Respondent(s): Mr. R.Vinothraja, GA (crl.side)
Mr.V. Balu, for R2



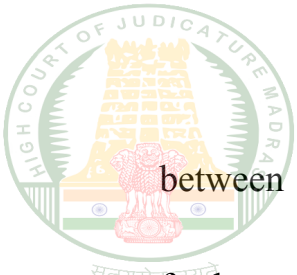
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ORDER

This Criminal Original Petition has been filed to call for the records in Crime No. 23/2025 on the file of the 1st respondent and quash the same.

2. The petitioner has stated in the petition that the petitioner and the defacto complainant amicably settled the issues between themselves and hence, seeks to quash the Final Report as against the petitioner. To that effect, an affidavit signed by the defacto complainant, dated 10.07.2025 and a Memorandum of Understanding dated 10.07.2025 executed between the petitioner and the 2nd respondent, duly signed by them were also filed before this court.

3. Mrs.E.Valarmathi, Women Special Sub Inspector of Police, W-7, All Women Police Station, Anna Nagar, Chennai was present before this Court and she informed this Court that the defacto complainant and the petitioner had approached her and informed that they have amicably settled the dispute



between them and hence, the defacto complainant do not want to proceed further with the criminal proceedings initiated against the petitioner.

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4. The petitioner and the 2nd respondent/defacto complainant are present before this Court at the time of hearing. This Court enquired the defacto complainant and she stated that both the parties have settled the dispute between themselves and she is not willing to proceed with the the criminal proceedings and seeks to quash the criminal proceedings initiated against the petitioner in Cr.No.23 of 2025.

5. The learned Govt. Advocate (crl.side) 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.

6. The allegation against the petitioner is that on giving false promise that the petitioner would marry the 2nd respondent, the petitioner had sexual intercourse with the 2nd respondent and later, refused to marry her. It is the



case of the petitioner that the petitioner and the defacto complainant have developed some friendship among them on the premise that they are going to get married and thereafter, due to some misunderstanding between them, there arose a problem. Therefore, a case came to be registered against the petitioner.

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 petitioner. The Hon'ble Supreme Court in the cases of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*, reported in *2017 9 SCC 641*, *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ CrI 10* and in the case of *K. Bharthi Devi v. State of Telangana*, reported in *(2024) 10 SCC 384* 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

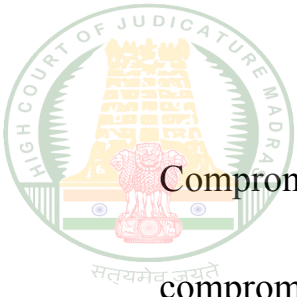


even if it gets settled between the parties, cannot be quashed by this Court.

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9. It is seen that the entire offence is due to development of relationship between both the parties and in the meanwhile, the relationship failed and due to the misunderstanding crept in between the parties, the case came to be filed and the same is trivial in nature. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioner 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 First Information Report registered in Crime No.23 of 2025 pending on the file of the first respondent in exercise of its jurisdiction under Section 482 of the Criminal.

10. Accordingly, this Criminal Original Petition is allowed and First Information Report registered in Crime No.23 of 2025 pending on the file of the first respondent, is quashed as against the petitioner. The Joint Memo of



Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

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22-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar, Chennai 600040.
(Crime No. 23/2025)
2. The Public Prosecutor,
High Court, Madras



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N.SATHISH KUMAR J.

msr

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