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CrI.O.P.No.21180 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.21180 of 2023
and CrI.M.P.No.14552 of 2023

1. Katturaja
S/o.Muthirulan
 2. Ramaprabhu
S/o.Muthirulan
 3. Donald Michael
S/o.Anthonysamy
- ... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
Race Course Police Station,
Coimbatore City, Coimbatore District.
 2. Senthilkumar
S/o.Jegadesan
- ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to C.C.No.2268 of 2022 on the file of the Judicial Magistrate Court No.III, Coimbatore and quash the same.

For Petitioners : Mr.A.Saravanan
For R1 : Mr. K.M.D.Muhilan
Additional Public Prosecutor
For R2 : Mr.G.Arumugaraja



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ORDER

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The present Criminal Original Petition has been filed seeking quashment of the proceedings in C.C.No.2268 of 2022 pending on the file of the Judicial Magistrate Court No.III, Coimbatore.

2. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.161 of 2022 was registered on the file of the first respondent Police against the accused, for the offences under Sections 294(b), 323 and 506(II) of IPC and Section 4 of the TN Prohibition of Harassment of Women Act, 2002. After completion of investigation, the final report was filed before the jurisdictional Court and the Court took cognizance of the same and numbered it as C.C.No.2268 of 2022.

3. Learned counsel appearing for the petitioners submitted that though this petition was filed to quash the impugned proceedings, during the pendency of this proceedings, the parties have compromised the matter and have also filed a Joint Memo of Compromise dated 18.12.2025 before this Court. He further submitted that the *de facto* complainant/R2 has also filed a separate affidavit for compromising the case. Since the parties have now amicably resolved their disputes, he prayed to quash the impugned proceedings against the petitioners.



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4. Learned counsel appearing for the *de facto* complainant/R2 submitted that due to the intervention of elders, the dispute has now been amicably settled between the parties and that the *de facto* complainant/R2 is not willing to pursue the criminal proceedings against the petitioners any further. In this regard, affidavit and a Joint Memo of Compromise have also been filed before this Court.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by Mr.A.Pandiyarajan, PC 3217, Race Course Police Station, Coimbatore City.

6. On being enquired by this Court, the *de facto* complainant/R2 stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

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

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seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

8. Heard both sides and perused the materials available on record.

9. 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 Gujarat*, reported in (2017) 9 SCC 641, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 BNSS), 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 they get settled between the parties, cannot be quashed by this Court.



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10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the *de facto complainant*/R2 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 proceedings pending against the petitioners in C.C.No.2268 of 2022, pending on the file of the Judicial Magistrate Court No.III, Coimbatore District, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands disposed of and the proceedings in C.C.No.2268 of 2022, pending on the file of the Judicial Magistrate Court No.III, Coimbatore District, is quashed as against the petitioners, on condition that the petitioners pay a sum of Rs.10,000/- (Rupees Ten Thousand only) jointly as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai – 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.



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12. The affidavit and the Joint Memo of Compromise filed by the petitioners and the *de facto* complainant/R2 for compromising the offences shall form part of the records.

13. Consequently, the connected miscellaneous petition is closed.

18.12.2025

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Neutral Citation: Yes/No

To

1. The Judicial Magistrate Court No.III,
Coimbatore District.
2. The Inspector of Police,
Race Course Police Station,
Coimbatore City,
Coimbatore District.
3. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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