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CrI.O.P.No.22794 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.22794 of 2025
and CrI.M.P.No.15576 of 2025

Stanley Moses

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by, The Inspector of Police,
W11, AWPS High Court Police Station,
Chennai - 600 104.

2. Sabah Maksood Bhatt

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 BNSS, to quash the proceedings in C.C.No.427 of 2025 pending on the file of the learned III Metropolitan Magistrate, George Town, Chennai, arising out of Crime No.1 of 2023 registered by the first respondent.

For Petitioner	:	Mr.S.Silambannan, Senior Counsel for Mr.J.Arun Kumar
For R1	:	Mr.R.Vinothraja Government Advocate (Criminal Side)
For R2	:	Mr.Kamaldasan



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ORDER

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2. Heard the learned counsel appearing for both the petitioner and the de facto complainant/second respondent, the learned Government Advocate (Criminal Side) appearing for the first respondent and perused the materials available on record.

3. The allegation in the final report is that the de facto complainant and the accused were working in an IT company, Accenture, where, they were in a relationship and had certain financial transactions between them. Later, when the de facto complainant severed the relationship, the petitioner/accused allegedly circulated the photographs taken during their relationship on social media. Therefore, based on the complaint given by the second respondent, a case in Crime No.1 of 2023 was registered for the offence under Section 354 of IPC, Section 66 of Information Technology



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Act and Section 4 of the TN Prohibition of Harassment of Women Act.

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After completion of investigation, the case was taken up on file by the III Metropolitan Magistrate, George Town, Chennai, in C.C.No.427 of 2025.

4. Now, the learned counsels appearing for both the petitioner and the de facto complainant submitted that the parties have settled the dispute between them amicably and hence, seek to quash the proceedings in C.C.No.427 of 2025 pending against the petitioner. They also produced the Joint Memo of Compromise executed by the petitioner and the second respondent to that effect.

5. The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Ms.M.Vanitha, WHC 27643, W11, AWPS High Court Police Station, Chennai.

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



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7. The learned Government Advocate (Criminal 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.

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 CrI 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



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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 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. In view of the above, this Court is inclined to quash the proceedings pending against the petitioner in exercise of its jurisdiction under Section 482 of Cr.P.C..

10. Accordingly, this Criminal Original Petition is allowed. The proceedings in C.C.No.427 of 2025, pending on the file of the learned III Metropolitan Magistrate, George Town, Chennai, 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 record. Consequently, connected miscellaneous petition is closed.

18.08.2025

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Neutral Citation: Yes/No



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N. SATHISH KUMAR, J.

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To

1. The III Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
W11, AWPS High Court Police Station,
Chennai - 600 104.
2. The Public Prosecutor,
High Court of Madras.

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