



CrI.O.P.No.23029 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.23029 of 2025 and
CrI.M.P.No.15748 of 2025

V.Krishnaraj

... Petitioner

Vs.

1. State by
The Inspector of Police
All Women Police Station
Villianur, Puducherry
(Crime No.12 of 2025)

2. Varalakshmi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the Crime No.12 of 2025 dated 26.07.2025 on the file of the 1st respondent herein and quash the same.

For Petitioner	:	Mr.R.Bharath Kumar
For R1	:	Mr.K.S.Mohandass
		Public Prosecutor (Pondy)
For R2	:	Ms.Lavanya Thirumalai



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ORDER

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2. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the second respondent and the learned Government Advocate (Criminal Side) appearing for the first respondent police.

3. Based on the complaint given by the de facto complainant/second respondent, who is the wife of the petitioner, a case in Crime No.12 of 2025 was registered against the petitioner on 26.07.2025 for the offences under Sections 115(2), 296 and 85 of BNS.

4. The learned counsel for the petitioner submits that it is a case of matrimonial dispute and now the parties have arrived to a amicable settlement between them and they have entered into a settlement agreement to that effect. Hence, he seeks to quash the First Information Report as



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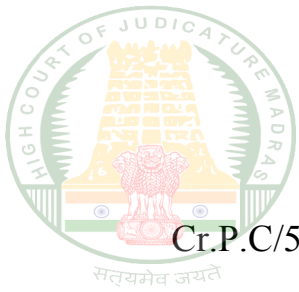
against the petitioner.

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5. The petitioner and the de-facto complainant/second respondent appeared before this Court and were identified by their respective counsel as well as by the first respondent police.

6. On being enquired by this Court, the de facto complainant stated that she has amicably settled the dispute with the petitioner and not willing to pursue the criminal proceedings and no objection to quash the same. A settlement agreement dated 15.09.2025, entered into between the parties has also been filed.

7. 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 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 sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of



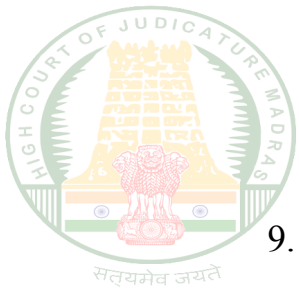
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Cr.P.C/528 BNSS, to quash non-compoundable offences. One very

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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.

8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner 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. Further, the Hon'ble Supreme Court in ***K.Bharthi Devi v. State of Telengana*** reported in **(2024) 10 SCC 384**, has held that the offences, which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions, where the wrong is basically to the victim, and the offender and the victim have settled all the disputes between them amicably, can be quashed by the High Court in exercise of its jurisdiction under Section 482 Cr.P.C.



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9. In view of the above, the First Information Report in Crime No.12 of 2025 dated 26.07.2025 pending on the file of the first respondent, is quashed as against the petitioner. The settlement agreement filed by the petitioner and the second respondent for compromising the offences shall form part of the record.

10. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

15.09.2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Inspector of Police
All Women Police Station
Villianur, Puducherry
2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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