



WEB COPY

CRL OP No. 26635 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26635 of 2025

1. ANBALAGAN

Son of Palani, No.2/202, Ponniyamman
Koil Street, Kollaimedu, (VP Mahal
Backside), Vanjur, Senur, Vellore
District - 632 006.

Petitioner(s)

Vs

1. State represented by
The Sub Inspector of Police,
All Women Police Station Vellore,
Vellore District.
In Crime No.11 of 2025

2.Redacted

Respondent(s)



PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS to call for the records in relation to the First Information Report in Crime No.11 of 2025 on the file of the first respondent and to quash the same.

For Petitioner(s): Mr.M.R. Thangavel

For R1 Mr.K.M.D.Muhilan
Additional Public Prosecutor

For R2 Appeared in person

ORDER

This Criminal Original Petition has been filed to call for the records in relation to the First Information Report in Crime No.11 of 2025 on the file of the first respondent and to quash the same.

2. It is the case of the *defacto* complainant that she is working as Guest Lecturer in a private college at Vellore. The petitioner herein is the Head of the Department (Economics) in the same college. The petitioner taking advantage of his position, committed sexual harassment to the *defacto* complainant. Further the petitioner had induced the *defacto* complainant to transfer a sum of Rs.1,76,000/- under the guise of securing permanent job to her in the college.



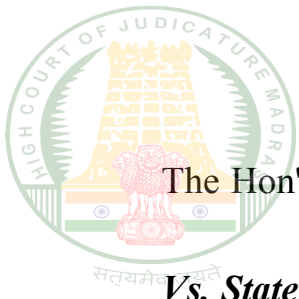
WEB COPY

3. Learned counsel for the petitioner would submit that the petitioner has settled the dispute with the *de facto* complainant amicably and hence, seeks to quash the First Information Report as against him. A Joint Memo of Compromise has been executed between the petitioner and the 2nd respondent/*defacto* complainant to that effect.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent-Police. The petitioner/accused is present before this Court. The *de facto* complainant/2nd respondent is also present before this Court today and they are identified by their respective counsel as well as by Mrs.P.Maheswari, AWPS, , who is also present before this Court.

5. 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 FIR.

6. Now, the main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offence pending against the petitioner, based on a compromise.



The Hon'ble Supreme Court, in the case of ***Parbathbhai Aahir @ Parbathbhai***

Vs. State of Gujarath, 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 the

High Court while exercising its jurisdiction under Section 482 of

Cr.P.C./Section 528 BNSS, to quash non-compoundable offence(s). One very

important test that has been laid down is that the Court must necessarily

examine as to whether 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.

7.However, in the present case, the wrong is basically to the victim. The offender and the victim have now settled all the dispute between them amicably.

Further, the petitioner as well as the *de facto* complainant have filed separate affidavits to the effect that they have entered into this compromise to ensure a well-being and peaceful future. In view of the unambiguous statements given by both the parties, this Court is of the view that the continuation of criminal



proceedings will not serve any purpose and it would only prolong distress for all concerned, especially when the *de facto* complainant has specifically mentioned that she had settled the issues with the petitioner so as to maintain the harmony in their life in future. Therefore, this Court is inclined to quash the FIR in exercise of its jurisdiction under Section 528 of BNSS.

8. Accordingly, this Criminal Original Petition is allowed and the First Information Report in Crime No.11 of 2025 on the file of the 1st respondent Police, as against the petitioner, for the offences under Sections 75, 78, 115(2), 316(2) and 318(4) of BNS and Section 4 of TN Prohibition of Harassment of Women Act is quashed. The Joint Memo of Compromise filed by the petitioner and the 2nd respondent and the individual affidavits filed by the petitioner and the 2nd respondent shall form part of the records.

06-10-2025

mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
WEB COPY

1. The Sub Inspector of Police,
All Women Police Station Vellore,
Vellore District.
2. The Public Prosecutor,
High Court, Chennai.



WEB COPY

CRL OP No. 26635 of 2025



N.SATHISH KUMAR J.

mfa

**CRL OP No. 26635 of
2025**

06-10-2025