



Crl.O.P.No.22915 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.22915 of 2025

1. P.G.Arunkumar
2. Pon Nandhagopalan
3. P.Jegadheesh ... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
District Crime Branch,
Erode District.
2. Ganesan Kumar @ Ganesaperumal ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the FIR in Crime No.2 of 2025 on the file of the first respondent herein and quash the same, in view of the compromise reached between the accused and the de facto complainant.

For Petitioner	:	Mr.P.V.Balasubramanian, Senior Counsel for M/s.Roshan Atiq.M
For R1	:	Mr.R.Vinothraja Government Advocate (Criminal Side)
For R2	:	Ms.Sangeetha Rajkumar



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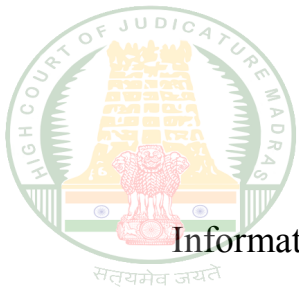
ORDER

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.2 of 2025, pending on the file of the first respondent, on the basis of the compromise arrived at between the petitioners and the de facto complainant/second respondent.

2. Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the second respondent and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. Based on the complaint given by the de facto complainant, who is the brother-in-law of the first accused, alleging that his signature had been forged to create a Power of Attorney and that the lands belonging to him had been sold to third parties, a case in Crime No.2 of 2025 was registered for the offences under Sections 419, 420, 468 & 471 of IPC. The petitioners herein are arrayed as A4, A7 and A8.

4. The petitioners have stated that they have settled the dispute with the de facto complainant amicably and hence, seek to quash the First



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Information Report as against them. They have also filed a Joint Memo of

Compromise executed between petitioners and the second respondent to that effect.

5. The petitioners and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.S.Sivakumar, Head Constable, District Crime Branch, Erode.

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

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 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 Crl 10***, has given sufficient guidelines that must be taken into



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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.

8. 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. 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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WEB COPY9. In view of the above, this Criminal Original Petition is allowed.

The First Information Report in Crime No.2 of 2025 pending on the file of the first respondent, is quashed as against the petitioners. The Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the record.

18.08.2025

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Neutral Citation:Yes/No

To

1. The Inspector of Police,
District Crime Branch,
Erode District.
2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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