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CRL OP No. 25610 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25610 of 2025

1. M.R.Anbarasu

S/o. M. Rajendran, 11/9, Bharathidasan
Colony Main Road, K.K.Nagar,
Chennai-600078.

Petitioner(s)

Vs

1. The State rep by the Inspector of
Police
EDF-I, Team II, CCB, Vepery, Chennai.
Crime No.40 of 2020.

2.R. Karthikeyan

S/o. P. Raju, Assistant Manager (Legal),
BSH House Hold Applicanes
Manufature Pvt Ltd, 4th Floor, South
Tower, KRM Plaza, No.2, HArrington
Road, Chetpet, Cehnani-600031.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records relating to C.C.No.4306 of 2020 pending on the file of the Learned Metropolitan Magistrate for exclusive trial of CCB Cases relating to



cheating cases in Chennai and CBICD Metro Cases Chennai and quash the same as against this petitioner/2nd Accused alone.

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For Petitioner(s): A.M.Amutha Ganesh

For Respondent(s): Mr.R.Vinodhraj,
Government Advocate [Crl.Side] – R1

Mr. Deepak Narayanan - R2

ORDER

Challenging the final report filed in C.C.No.4306 of 2020 pending on the file of the Metropolitan Magistrate Court, for Exclusive Trial of CCB Cases relating to cheating cases in Chennai for the offences under sections 408, 465, 468, 471, 420 read with 34 of IPC, the present Criminal Original Petition has been filed.

2. The allegations against the accused in the Final Report is that the first accused being the employee of the second respondent had defrauded the defacto complainant's company by creating fake credit notes, fake emails and forged counter foils of the bank and cheated the defacto complainant to the tune of



Rs.9 lakhs. The specific allegation against the present petitioner is that he aided the first accused in the alleged fabrication.

3. When the matter is taken up today, the petitioner along with the second respondent has filed Joint Memo of compromise wherein it has been stated that the petitioner and the second respondent have amicably settled the issues between themselves and the petitioner had paid a sum of Rs.9,00,000/- by way of Demand Draft dated 08.08.2025 and the second respondent also received the said demand draft and that they withdraw their respective allegations made against each other and to give quietus to settle the dispute amicably and hence, seek to quash the Final Report.

4. The Defacto Complainant is also present before this Court at the time of hearing and he has been identified by his counsel. This Court enquired the defacto complainant and he had stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the the criminal proceedings and seeks to quash the same.



6. The learned Additional Public Prosecutor 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.

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 Gujrat*, 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 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 offence in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainant 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 Final Report filed in the case in C.C.No. 4306 of 2020 on the file of the Metropolitan Magistrate Court, for Exclusive Trial of CCB Cases relating to cheating cases in Chennai in exercise of its jurisdiction under Section 482 of Cr.P.C..

9. Accordingly, this Criminal Original Petition is allowed and the case in C.C.No. 4306 of 2020 on the file of the Metropolitan Magistrate Court for Exclusive Trial of CCB Cases relating to cheating cases in Chennai, is quashed.



The Joint Memo of compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

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18-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Metropolitan Magistrate
for Exclusive Trial of CCB Cases
relating to cheating cases in Chennai
2. The Inspector of Police
EDF-I, Team II, CCB, Vepery, Chennai.
Crime No.40 of 2020.



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N.SATHISH KUMAR J.

VRC

CRL OP No. 25610 of 2025

18-09-2025



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CRL OP No. 25610 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25610 of 2025

M.R.Anbarasu

... Petitioner

Vs.

1.State represented by

Inspector of Police,

EDF I, Team II, Central Crime Branch Vepery,

Chennai (Crime No.40 of 2020) and another

... Respondents

For Petitioner : Mr.A.M.Amutha Ganesh

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For R2 : Mr.B.Deepak Narayanan

ORDER

Today, the matter is listed under the caption “for being mentioned”.



2.Learned counsel for the 2nd respondent would submit that this Criminal Original Petition has been filed to quash the final report in C.C.No.4306 of 2020 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases relating to Cheating Cases in Chennai and CBCID Metro Cases, Egmore, Chennai, as against the petitioner/A2 alone, based on the compromise entered into between the petitioner/A2 and the *de facto* complainant. However, the final order dated 18.09.2025 proceeds as if the entire final report is quashed. Hence, he seeks for correction. Learned counsel for the petitioner would pray for refund of the amount deposited by the petitioner/A2 at the time of filing bail application.

3.From the joint compromise memo filed by the petitioner/A2 and the *de facto* complainant and the prayer in the petition, it is seen that the prayer is limited to quashing of final report as against A2 alone. Therefore, Para Nos.8 and 9 of the final order dated 18.09.2025 made in Crl.O.P.No.25610 of 2025 shall be substituted with the following :

“8.In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the



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petitioner and the *de facto* complainant and as the amount of Rs.9,00,000/- has been settled by the petitioner/A2, the receipt of which has been acknowledged by the *de facto* complainant, quashing the proceedings as against the petitioner/A2 will not affect any overriding public interest and no useful purpose will be served in continuing with the criminal proceedings as against A2. In view of the above, this Court is inclined to quash the final report in C.C.No.4306 of 2020 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases relating to Cheating Cases in Chennai and CBCID Metro Cases, Egmore, Chennai, as against A2 alone, in exercise of its jurisdiction under Section 482 Cr.P.C.

9. Accordingly, this Criminal Original Petition is allowed and the case in C.C.No.4306 of 2020 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases relating to Cheating Cases in Chennai and CBCID Metro Cases, Egmore, Chennai, is quashed as against the petitioner/A2 alone. As the matter has been compromised between the petitioner/A2 and the *de facto* complainant, the amount deposited by the petitioner/A2 at the time of filing bail application, shall be refunded to him on making appropriate application before the concerned Court. The Joint Memo of compromise filed by the petitioner and the 2nd respondent



shall form part of the records.”

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4.Registry is directed to carry out the aforesaid correction and issue fresh copy of the order to the parties.

13.11.2025

mkn

Internet : Yes

To

- 1.The Metropolitan Magistrate
for Exclusive Trial of CCB Cases relating to
Cheating Cases in Chennai and CBCID Metro Cases,
Egmore, Chennai.
- 2.The Inspector of Police,
EDF I, Team II, Central Crime Branch,
Vepery, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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CRL OP No. 25610 of 2025



N. SATHISH KUMAR, J.

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CrI.O.P.No.25610 of 2025

13.11.2025