



Crl.O.P.No.27677 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

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R.Manikandan

... Petitioner

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
SRMC AWPS, Avadi
Crime No.159 of 2019

2. Sri Vaishnavi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C.,
to call for the records relating to Cr.No.1 of 2024 on the file of the Inspector
of Police, SRMC AWPS, Avadi and quash the same.

For Petitioner : Mr.L.Ambruse

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

ORDER

The Criminal Original Petition has been filed seeking to call for the
records relating to Cr.No.1 of 2024 against the petitioner for the alleged
offences punishable under Sections 498(A), 406, 420 & 506(1) of IPC on



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the file of the first respondent police Sub-Inspector of Police, Semmancheri Police Station and quash the same based on the compromise arrived between the parties.

2. The crux of the allegations in the FIR is that the petitioner and the defacto complainant had married together and due to death of their baby, disputes arose between them and the accused had assaulted and abused her. Hence, the FIR.

3. The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by the counsel as well as by M/s.K.Gracy, Women Special Sub-Inspector of Police, SRMC, AWPS, Avadi.

4. On being enquired by this Court, the defacto complainant stated that she has amicably settled the dispute with the petitioner as they have got divorce by mutual consent and now, she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

5. The main issue that requires the consideration of this Court is as to



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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 Gujarat, 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.

6. 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.

N. SATHISH KUMAR, J.



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7. In view of the above, this Criminal Original Petition is allowed.

The FIR in Cr.No.1 of 2024 pending on the file of the first respondent is quashed as against the petitioner. The Joint Compromise Memo filed by the petitioner and the second respondent for compromising the offences shall form part of the record.

14.10.2025

dhk

Neutral Citation: Yes/No

To

1. The Inspector of Police,
SRMC AWPS, Avadi
2. The Public Prosecutor,
High Court of Madras.

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