



Crl.O.P.No.27556 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.27556 of 2025

HyatBasha.A

... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
H-5, New Washermenpet Police Station
Chennai – 600 081

2. Redacted

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the chargesheet pending in C.C.No.1353/2022 on the file of the learned XV Metropolitan Magistrate Court, George Town, Chennai based on the compromise reached between the parties.

For Petitioner	:	Mr.R.Udaya Kumar
For R1	:	Mr.R.Vinothraja Government Advocate (Crl.Side)
For R2	:	Mr.S.Jayapaul for R2

ORDER

The Criminal Original Petition has been filed seeking to quash the chargesheet pending in C.C.No.1353/2022 under Sections 354 and 354A of IPC on the file of the learned XV Metropolitan Magistrate Court, George Town, Chennai based on the compromise reached between the parties

2. The crux of the allegations in the FIR is that the accused/petitioner



Crl.O.P.No.27556 of 2025

is working as Junior Assistant in Tamilnadu Civil Supplies and Consumer Protection Department, the accused had applied for issuance of Ration Card.

The accused had went for verification and misbehaved with the defacto complainant. Hence, the petition.

3. The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by M/s.R.Viji, Gr-II PC58269, H5 New Washermenpet Police Station, Chennai.

4. On being enquired by this Court, the defacto complainant stated that she mistook the stammering speech and the limping walk of the accused that he is making advances towards her and now, she is not willing to pursue the the criminal proceedings and therefore, seeks to quash the same.

5. 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 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



Crl.O.P.No.27556 of 2025

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 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. In view of the above, this Criminal Original Petition is allowed. The pending in C.C.No.1353/2022 on the file of the learned XV Metropolitan Magistrate Court, George Town, Chennai 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.

09.10.2025

dhk

N. SATHISH KUMAR, J.



WEB COPY



Crl.O.P.No.27556 of 2025

dhk

To

1. The Inspector of Police,
H-5, New Washermenpet Police Station
Chennai – 600 081
2. The XV Metropolitan Magistrate
George Town, Chennai
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.27556 of 2025

09.10.2025