



CrI.O.P.No.23279 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 25.08.2025**

CORAM:

**THE HON'BLE MR.JUSTICE N. SATHISH KUMAR**

**CrI.O.P.No.23279 of 2025**

R.Madhu

... Petitioner

Vs.

1.The Superintendent of Police  
Tiruvallur District

2. The Deputy Superintendent of Police  
Uthukottai Taluk, Tiruvallur District

3.The Inspector of Police  
Uthukottai AWPS, Tiruvallur District

4.(Redacted)

... Respondents

**PRAYER** : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the FIR dated 13.07.2025 in Crime No.22 of 2025 on the file of the 3<sup>rd</sup> respondent and quash the same.

|                |   |                                                   |
|----------------|---|---------------------------------------------------|
| For Petitioner | : | Mr.S.Haja Mohideen Gisthi                         |
| For R1-R3      | : | Mr.K.M.D.Muhilan<br>Additional Government Pleader |
| For R4         | : | Mr.A.Ansar                                        |

**ORDER**

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.22 of 2025, pending on the file of the



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first respondent for the alleged offences punishable under Sections 69, 318 (4), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w)(i), 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989.

2. The case of the prosecution is that the petitioner and the defacto complainant were in a relationship and on promise to marry had engaged in sexual intercourse and thereafter, the petitioner changed his attitude and refused to marry her since, she belonged to Scheduled Caste, hence a case in Crime No.22 of 2025 was registered for the offences punishable under Sections 69, 318 (4), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w)(i), 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989 on the file of the respondent police.

3. The petitioner has stated that he has settled the dispute with the defacto complainant amicably and hence, seek to quash the First Information Report. They have filed a Joint Memo of Compromise entered into between them to that effect.

4. The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by



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M/s.S.Thamizhselvi, Inspector of Police, AWPS/Uthukottai, Thiruvallur

WEB COURT District.

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

6. 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 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 CrI 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

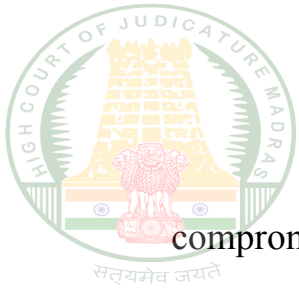


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offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

7. 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. 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.

8. In view of the above, this Criminal Original Petition is allowed. The First Information Report in Crime No.22 of 2025 pending on the file of the first respondent, is quashed as against the petitioner. The Joint Memo of Compromise filed by the petitioner and the second respondent for



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compromising the offences shall form part of the record.

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25.08.2025

*dhk*

Neutral Citation: Yes/No

To

1. The Superintendent of Police  
Tiruvallur District
2. The Deputy Superintendent of Police  
Uthukottai Taluk, Tiruvallur District
3. The Inspector of Police  
Uthukottai AWPS, Tiruvallur District
4. The Public Prosecutor,  
High Court of Madras.



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**N. SATHISH KUMAR, J.**

*dhk*

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