



Crl.O.P.No.23670 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.23670 of 2025

T.Sathyaprakash

... Petitioner

Vs.

1.The State,
Represented by the Inspector of Police,
Thirumangalam Police Station,
Anna Nagar,
Chennai.

2.Sabilamu

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita to call for the records in Crime No.343 of 2025
on the file of the 1st respondent Police and quash the FIR dated 11.07.2025
based on the compromise arrived at by the petitioner and the 2nd respondent/
de facto complainant.

For Petitioner : Mr.R.Sanjay

For R1 : Mr.R.Vinothraja,
Government Advocate (Crl. Side)

R2 : Appeared through video conferencing



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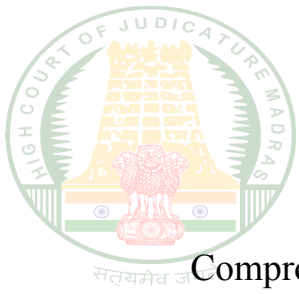
ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.343 of 2025 on the file of the 1st respondent Police for the offence under Section 77 BNS, based on the compromise arrived at by the petitioner and the 2nd respondent/ *de facto* complainant.

2.Heard the learned counsel appearing for the petitioner, the 2nd respondent who appeared through video conferencing, and the learned Government Advocate (Criminal Side) appearing for the 1st respondent Police.

3.Based on the complaint given by the 2nd respondent/*de facto* complainant, alleging that the accused had peeped through the bathroom window of the house of the *de facto* complainant, a case in Crime No.343 of 2025 was registered for the offence under Section 77 BNS.

4.Learned counsel for the petitioner states that the petitioner has settled the dispute with the *de facto* complainant amicably and hence, seeks to quash the First Information Report as against him. A Joint Memo of



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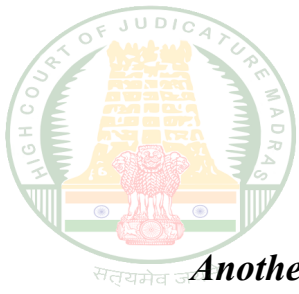
Compromise has been executed between the petitioner and the 2nd respondent to that effect.

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5.The petitioner appeared before this Court and the *de facto* complainant/R2 appeared through video conferencing and both were identified by their respective counsel as well as by Mrs.K.Devi, Women Special Sub-Inspector of Police, Thirumangalam Police Station, Chennai.

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

7.Now, the main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offence pending against the petitioner, based on a compromise. 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***

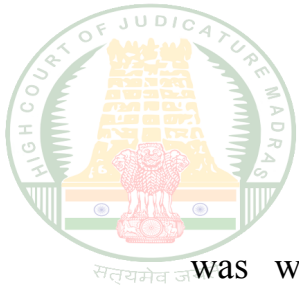


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Another reported in **(2019) 2 MLJ Crl 10**, has given sufficient guidelines that must be taken into consideration by the High Court while exercising its jurisdiction under Section 482 of Cr.P.C, to quash non-compoundable offence(s). One very important test that has been laid down is that the Court must necessarily examine as to whether 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.However, in the present case, the wrong is basically to the victim and the offender and the victim have now settled all the disputes between them amicably. Further, the petitioner as well as the *de facto* complainant have filed separate affidavits to the effect that the petitioner is also an aspirant of civil services examination as like the *de facto* complainant and he was present at the vicinity of the *de facto* complainant's house only to sight a long-horn beetle whose appearance is rare. Since the *de facto* complainant is a graduate in agriculture, she is convinced with the reason given by the petitioner for his presence in the vicinity near her house, which



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was wrongly understood as stalking. In view of the unambiguous statements given by both the parties, this Court is of the view that the continuation of criminal proceedings will not serve any purpose and it would only prolong distress for all concerned, especially when the *de facto* complainant has specifically mentioned that her preparation for civil services examinations is being impacted by the criminal proceedings. Therefore, this Court is inclined to quash the FIR in exercise of its jurisdiction under Section 528 BNSS.

9. Accordingly, this Criminal Original Petition is allowed and the First Information Report in Crime No.343 of 2025 on the file of the 1st respondent Police is quashed. The Joint Memo of Compromise filed by the petitioner and the 2nd respondent and the individual affidavits filed by the petitioner and the 2nd respondent shall form part of the records.

26.08.2025

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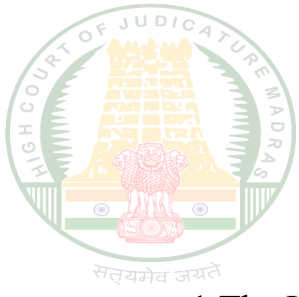
Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

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1. The Inspector of Police,
Thirumangalam Police Station,
Anna Nagar,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

N. SATHISH KUMAR, J.



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