



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-08-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 23918 of 2025

1. Lawrence Jeeva Kumar @ Lawrence
S/o. Robert Jayakumar,
No.11/4A, Village Street, Thiruvottiyur,
Chennai - 600019.

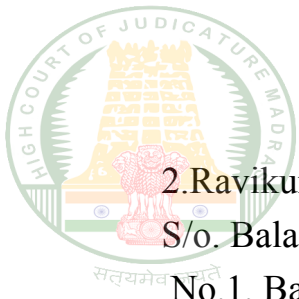
2. Praveen @ Nithish
S/o. Ramar, No.17/37, Jeeva Nagar, 4th
Street, New Washermenpet, Chennai
81.

3. Ramkumar @ Ram
S/o. Ravi, No.3/13, Kalaingar Nagar
Extension, 1st Street, Thiruvottiyur,
Chennai - 600019.

Petitioner(s)

Vs

1. State Represented by,
The Inspector of Police,
H8, Thiruvottiyur Police Station, Chennai -
600019. (Crime No. 727/2025)



2.Ravikumar

S/o. Balasubramaniyan,

No.1, Bajan Koil Street, Velacherry,

Chennai District. Temporarily residing at,

No.2, Varatharajan Street, Sathuma Nagar,

Tollgate Thiruvattiyur, Chennai District.

Respondent(s)

PRAYER

This Criminal Original Petition has been filed under Section 528 of BNSS to call for the records and quash the proceedings in Crime No. 727 of 2025 on the file of the 1st respondent.

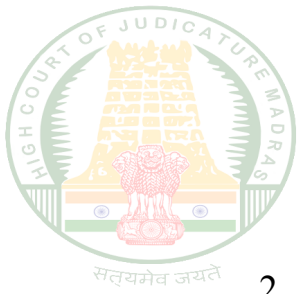
For Petitioner(s): Mr. M.Nagoor Moideen

For Respondent(s): Mr. R.Vinothkumar,
for R1

Mr. R.Krishnakumar,
for R2

ORDER

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.727 of 2025, pending on the file of the first respondent, on the basis of the compromise arrived at between the petitioners and the de facto complainant/second respondent.



WEB COPY

2. Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the second respondent and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. The allegation against the petitioners is that on 14.05.2025, due to previous enmity, the petitioners have wrongfully restrained the defacto complainant, abused him in filthy language, assaulted him and also criminally intimidated him.

4. The petitioners have stated that they have settled the dispute with the de facto complainant amicably and hence, seek to quash the First Information Report as against them. They have also filed a Joint Compromise Memo executed between petitioners and the second respondent to that effect.

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



Mrs.G.Vanith, Special Sub Inspector of Police, H8, Thiruvottiyur Police Station.

WEB COPY

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

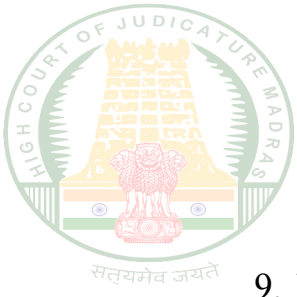
7. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 528 of BNSS 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



WEB COPY

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 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. 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 528 of BNSS.



WEB COPY

9. In view of the above, this Criminal Original Petition is allowed. The First Information Report in Crime No.727 of 2025 pending on the file of the first respondent, is quashed as against the petitioners. The Joint Compromise memo filed by the petitioners and the second respondent for compromising the offences shall form part of the record.

29-08-2025

Neutral Citation: Yes/No

mrp

To

The Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai - 600019. (Crime No.
727/2025)



WEB COPY

CRL OP No. 23918 of 2025



N.SATHISH KUMAR J.

mrp

CRL OP No. 23918 of 2025

29-08-2025