



Crl.O.P.No.25480 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25480 of 2025

R.Kirutheeswaran
S/o.Ramesh

... Petitioner

Vs.

1. The State rep. by its
Inspector of Police
Cyber Crime Police Station
East Zone, Chetpet
Chennai – 31

2. (Redacted)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to quash the final report filed by the 1st respondent/complainant against the petitioner in C.C.No.1418 of 2025 pending on the file of the XI-Metropolitan Magistrate, Saidapet.

For Petitioner : Mr.Varun uthukumar

For first Respondent : Mr.R.Vinothraja
Government Advocate (Crl. Side)



WEB COPY



Crl.O.P.No.25480 of 2025

ORDER

This Criminal Original Petition has been filed to quash the final report filed by the 1st respondent/complainant against the petitioner in C.C.No.1418 of 2025 pending on the file of the XI-Metropolitan Magistrate, Saidapet.

2. The allegations against the petitioner in the Final Report is that the petitioner sent obscene messages with obscene photographs to the defacto complainant through instagram. Hence, the petitioner has been charged for the offences under Section 79 BNS r/w. Section 67(A) of Information Technology (Amendment) Act, 2008.

3. The defacto complainant has filed an affidavit that both the family members have amicably settled the issues between themselves and hence, she has no objection to quash the Final Report against the petitioner.

4. The petitioner and the defacto complainant are present before this Court at the time of hearing. Ms.P.Vaitheeswari, Sub Inspector of Police of the respondent police station is also present before this Court and she identified the parties.

5. This Court enquired the defacto complainant and she stated that they had amicably settled the dispute between themselves and she is not



willing to proceed with the criminal proceedings and that she has no objection to quash the same.

6. The learned Government Advocate (Crl. Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

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 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 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



CrI.O.P.No.25480 of 2025

it gets settled between the parties, cannot be quashed by this Court.

WEB COPY 8. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioner and the defacto complainant 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 Court is inclined to quash the Final Report filed against the petitioner in C.C.No.1418 of 2025 pending on the file of the XI-Metropolitan Magistrate, Saidapet in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNS..

9. Accordingly, this Criminal Original Petition is allowed and the case in C.C.No.1418 of 2025 pending on the file of the XI-Metropolitan Magistrate, Saidapet, is quashed. The affidavit filed by the defacto complainant for compromising the offences shall form part of the records.

17.09.2025

ksa-2

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



CrI.O.P.No.25480 of 2025

To
WEB COPY 1. The XI-Metropolitan Magistrate,
Saidapet.

2. The Inspector of Police
Cyber Crime Police Station
East Zone, Chetpet
Chennai – 31

3. The Public Prosecutor
High Court of Madras, Chennai



WEB COPY



Crl.O.P.No.25480 of 2025

N. SATHISH KUMAR, J.

ksa-2

Crl.O.P.No.25480 of 2025

17.09.2025