

Crl.OP.No.24396 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.24396 of 2025

1.Venkataraman

2.Rajan

3.Senthil Kumar

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Ambur Town Police Station,
Thirupathur.
[Crime No.208 of 2025]

2.Vasanth

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the proceedings in Cr.No.208 of 2025 on the file of the respondent police.

For Petitioners	: Mr.S.Senthilvel
For Respondent-1	: Mr.R.Vinothraja, GA (Crl. Side)
For Respondent-2	: Mr.B.Shakthivel

ORDER



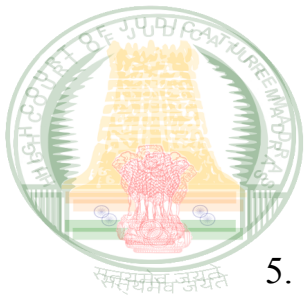
WEB COPY

Challenging the proceedings in Cr.No.208 of 2025 on the file of the respondent police, the present Criminal Original Petition has been filed.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing on behalf of the first respondent as well as the learned counsel for the second respondent.

3. The learned counsel for the petitioners submitted that the petitioners and the de-facto complainant have amicably settled the issues between themselves and hence, seeks to quash the FIR in Cr.No.208 of 2025 as against the petitioners. The petitioner also filed a Joint Memo of Compromise executed between the petitioners and the second respondent.

4. Ms.P.Geetha, Women Special Sub Inspector of Police was present before this Court and she informed this Court that the defacto complainant and the petitioners had approached her and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.



5. The defacto complainant and the petitioners are present before this Court at the time of hearing. This Court enquired the defacto complainant and he stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the the criminal proceedings and seeks to quash the same.

6. The learned Government Advocate appearing on behalf of the first respondent submitted that though the parties entered into a compromise while the 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.

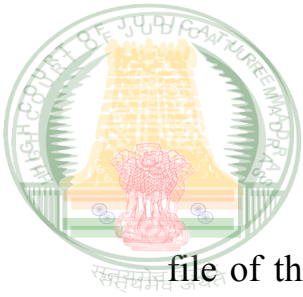
7. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat***, reported 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 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 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 offence in question are purely individual/personal in nature. It involves dispute between the petitioners 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 the criminal proceedings. In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.208 of 2025 pending on the file of the first respondent in exercise of its jurisdiction under Section 528 of BNSS.

9. Accordingly, this Criminal Original Petition stands allowed and the First Information Report registered in Crime No.208 of 2025 pending on the



Crl.OP.No.24396 of 2025

file of the first respondent, is quashed as against the petitioners. The Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

08.09.2025

DP

To

- 1.The Inspector of Police,
Ambur Town Police Station,
Thirupathur.
- 2.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.24396 of 2025

N. SATHISH KUMAR, J.

DP

Crl.O.P. No.24396 of 2025

08.09.2025