

Crl.OP.No.24537 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.24537 of 2025

1. Vishnu Akash @ Akash Raja
2. Jay Prasanna
3. Lakshminarayanan
4. M.Vigneshkumar
5. Madhu Sudhanan

... Petitioners

Vs.

1. The State Rep. by
The Inspector of Police,
Madipakkam Police Station, Chennai.
(Crime No:23 of 2024)

2. Yuvan Kalyan

... Respondents

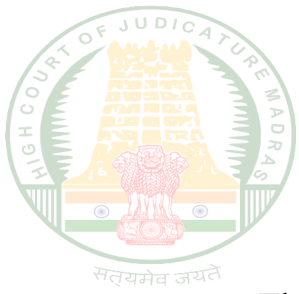
PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.296 of 2025 on the file of the Judicial Magistrate Court II, Alandur and to quash the same.

For Petitioners : Mr.K.Lavan

For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor – R1

Mr.K.Sakthivel – R2

ORDER



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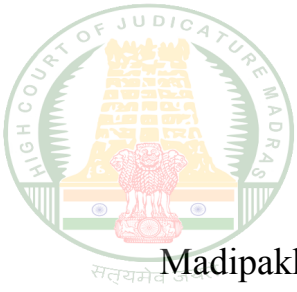
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This Criminal Original Petition has been filed to quash the C.C.No.296 of 2025 pending on the file of the Judicial Magistrate Court II, Alandur for the offences under sections 294[b], 323, 355, 385, 147 and 506[i] of IPC.

2. The allegations against the accused in the Final Report is that the petitioners and the defacto complainant are college students and in a dispute between them, the accused are said to have abused the defacto complainant and attacked him.

3. On perusal of records, it shows that the petitioners along with the second respondent have filed Joint Compromise Memo in the FIR in Crime No.23 of 2024 on 31.03.2025 wherein it has been stated that the petitioners and the second respondent are friends and on the advice of their elders, they have amicably settled the issues between themselves and hence, seek to quash the FIR itself. However, even now they are ready to compromise the issue and seeks to quash the CC.

4. Ms.J.Mary Victoria Cecily, S-7, Special Sub Inspector of Police,

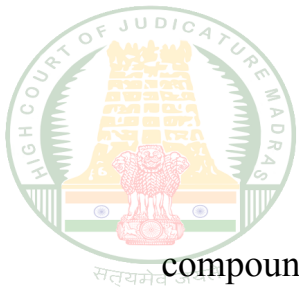


Madipakkam Police Station was present before this Court and she informed this Court that the defacto complainant and the petitioners had approached her and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.

5. The Defacto Complainant is also present before this Court at the time of hearing. This Court enquired the defacto complainant and he had 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 Additional Public Prosecutor 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 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 with the criminal proceedings. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C.No. 296 of 2025 on the file of the Judicial Magistrate Court II, Alandur in exercise of its



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jurisdiction under Section 482 of Cr.P.C.

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9. Accordingly, this Criminal Original Petition is allowed and the case in C.C. No.296 of 2025 on the file of the Judicial Magistrate Court II, Alandur, is quashed. The Joint Compromise Memo, dated 31.03.2024 filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

11.09.2025

vum

To,

1. The Inspector of Police,
Madipakkam Police Station, Chennai.
2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

vum

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