

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24939 of 2025

1. R.Damotharan

S/o.Late P.A.Raju Chettiar,
36, Venkataswamy Road West,
R.S.Puram, Coimbatore-641 002

2. P.Anantharam

S/o.Late D.Prakash,
36, Venkataswamy road West,
R.S.Puram , Coimbatore-641 002

3. B.Yamuna

W/o.Mr.Rajasekar,
No.122/1, Venkatasamy Road,
R.S.Puram, Coimbatore-641 002

4. Swathi

W/o.P.Anathram,
36, Venkataswamy Road West,
R.S.Puram, Coimbatore-641 002

5. R.Sharadha

D/o.Rajashekar, No.122/1,
Venkatasamy Road, R.S.Puram,
Coimbatore-641 002

Petitioner(s)

Vs

1. State rep by
The Inspector of Police
Central Crime Branch, Coimbatore
Cr.No.13 of 2025

2.Rajeshwai
W/o.Preetham Shyamkumar, Old
No.52, New No.87, Periaswamy road
West, R.S.Puram, Coimbatore-641 002

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records and quash the FIR in Cr.No.13 of 2025 on the file of the Inspector of Police, Central Crime Branch, Coimbatore.

For Petitioner(s):	Mr.A. Nagarajan
For R1:	Mr.R.Vinoth Raja Government Advocate (Crl.Side)
For R2	Mr.S.V.Pravin Rathinam

ORDER

This Criminal Original Petition has been filed to call for the records and to quash the FIR in Cr.No.13 of 2025 on the file of the Inspector of Police, Central Crime Branch, Coimbatore.

2. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.Side) appearing for the first respondent-Police and the learned counsel appearing for the second respondent and perused the materials available on record.

3. Based on the complaint given by the complainant/second respondent herein as against the accused persons who are the petitioners herein, a case in Crime No.13 of 2025 has been registered by the first respondent-Police for the offences under Sections 316(2), 318(3), 323 and 351(3), 61(2) of the BNS and Section 4 of TN Prohibition of Harassment of Women act.

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 Memo of Compromise 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 by Mr.R.Vijay, SSI of Police, CCB-II, Coimbatore City.

6. On being enquired by this Court, the *de-facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the the criminal proceedings and she has also filed an affidavit with regard to the same and seeks to quash the F.I.R.

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 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 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 482 Cr.P.C.

9. In view of the above, this Criminal Original Petition is allowed. The First Information Report in Crime No.13 of 2025 pending on the file of the first respondent-Police, 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 record.

12-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police
Central Crime Branch, Coimbatore

2. The Public Prosecutor,
High Court, Chennai.

N.SATHISH KUMAR J.

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