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CrI.O.P.No.24936 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.24936 of 2025

Caleb Charles

... Petitioner

Vs

1.State by the Inspector of Police
T-4, Madhuravoyal Police Station
Koyambedu, Chennai

2.Mrs.Josephine Debbi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in C.C.No.3587 of 2025, now pending on the file of the learned Judicial Magistrate-II at Poonamallee and quash the same.

For Petitioner : Mr.A.Praveen

For 1st Respondent : Mr.K.M.D.Muhilan

Additional Public Prosecutor

For 2nd Respondent : Mr.B.Manimaran

ORDER

This Criminal Original Petition has been filed to quash the final report in C.C.No.3587 of 2025, for the offences under Sections 296(b), 308(2), 351(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, pending on the file of the learned Judicial Magistrate-II at Poonamallee, on the ground of compromise.

2. The second respondent/defacto complainant lodged a complaint



before the respondent police alleging that the petitioner was in love affair with her daughter and during such time, the petitioner by giving drugs and alcohol, had illegal relationship with her daughter and thereby spoiled her daughter's life and when the same was questioned, the petitioner threatened the defacto complainant with dire consequences and also demanded Rs.10 lakhs. Based on which, the final report came to be filed against the petitioner after investigation.

3. The learned counsel for the petitioner and the learned counsel for the defacto complainant/second respondent submitted that the now the petitioner has married to the daughter of the defacto complainant and both the parties have entered into a compromise and amicably settled the dispute between themselves. To that effect, the parties have filed affidavits/sworn affidavit.

4. The petitioner, the defacto complainant/2nd respondent and the daughter of the defacto complainant were present before this Court at the time of hearing and they were identified by their respective counsel and by the respondent police.

4. This Court also enquired the defacto complainant/2nd respondent and her daughter for which, they stated that they have amicably settled the dispute between themselves and not willing to proceed with the criminal



proceedings and they have no objection for quashing the same.

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5. The learned Government Advocate (Crl. Side) appearing on behalf of the first respondent-Police 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.

6. 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 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 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.



CrI.O.P.No.24936 of 2025

7. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the private 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.

8. In view of the above, this Court is inclined to quash the proceedings against the petitioner in C.C.No.3587 of 2025 on the file of the learned Judicial Magistrate-II, Poonamallee, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNS.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings against the petitioner in C.C.No.3587 of 2025 on the file of the learned Judicial Magistrate-II, Poonamallee, is quashed. The affidavits dated 01.09.2025 and the sworn affidavit dated 09.06.2025 filed by the parties, for compromising the offences shall form part of the records.

22.10.2025

ksa-2

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



CrI.O.P.No.24936 of 2025

To

1. The Judicial Magistrate-II
Poonamallee.
2. The Inspector of Police
T-4, Madhuravoyal Police Station
Koyambedu, Chennai
3. The Public Prosecutor
High Court of Madras



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Crl.O.P.No.24936 of 2025

N. SATHISH KUMAR, J.
ksa-2

Crl.O.P.No.24936 of 2025

22.10.2025