



Crl.O.P.No.24661 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.24661 of 2025

Abishek

... Petitioner

Vs.

1.State rep. by
The Inspector of Police
SRMC All Women Police Station
Chennai
(Crime No.6 of 2025)

2. (Redacted)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the case in Crime No.6 of 2025 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.V.Manimaran

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

For R2 : Ms.B.Sasikala

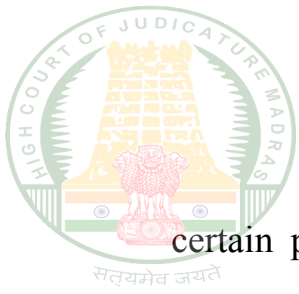


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ORDER

WEB COPY This Criminal Original Petition has been filed to quash the First Information Report in Crime No.6 of 2025 dated 19.04.2025, registered against the petitioner for the offences under Sections 323, 354C IPC, Section 66E and 67A of Information Technology Act, 2000 on the file of the 1st respondent Police, on the basis of compromise entered into between the parties.

2. Based on the complaint lodged by the de facto complainant/second respondent alleging that seven years before, the defacto complainant and the petitioner were fell in love with each other while they were studying in college and at that time, the petitioner under the guise of marrying the defacto complainant, had sexual intercourse with her. During which, the petitioner had taken photos and videos without the knowledge of the defacto complainant. Subsequently, they fell apart. While so on 24.02.2025, the petitioner called the defacto complainant over phone and asked her to come to private hostel wherein, the petitioner by threatening the defacto complainant to post her photographs in the social media, had sexual intercourse with her. Like that, the petitioner used to have sexual intercourse with the defacto complainant repeatedly. On 16.04.2025 when the petitioner asked the defacto complainant to come to a



certain place, she refused the same and hence, the petitioner shared the

private photographs of the defacto complainant to her friends and hostel

Manager. Hence, the FIR was registered.

3. The learned counsel for the petitioner submits that now the parties have arrived to a amicable settlement between them and the defacto complainant/second respondent has also filed a consent affidavit to that effect. Further, the Joint Memo of Compromise signed by both the parties have also been filed. Hence, he seeks to quash the First Information Report as against the petitioner.

4. The petitioners and the de-facto complainant/second respondent appeared before this Court in person and they were identified by their respective counsel as well as by Ms.K.Gracy, WSSI, SRMC All Women Police Station, Chennai.

5. On being enquired by this Court, the de facto complainant/second respondent stated that she has amicably settled the dispute with the petitioner and not willing to pursue this criminal proceedings and has no objection to quash the same. She has filed a consent affidavit to that effect and a Joint Memo of Compromise signed by both the parties dated 02.09.2025 has also been filed.

6. The main issue that requires the consideration of this Court is as



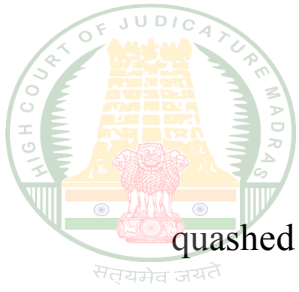
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to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioner. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ CrI 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/528 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.

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

8. In view of the above, the First Information Report in Crime No.6 of 2025 dated 19.04.2025,, pending on the file of the first respondent, is



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quashed as against the petitioner. The consent affidavit filed by the defacto

complainant/second respondent and the Joint Memo of Compromise signed

by both the parties dated 02.09.2025, shall form part of the record.

9. Accordingly, this Criminal Original Petition is allowed.

15.09.2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Inspector of Police
SRMC All Women Police Station
Chennai

2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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