



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25654 of 2025

1. Tamilarasan
2. Sivakumar
3. Ranjith

Petitioner(s)

Vs

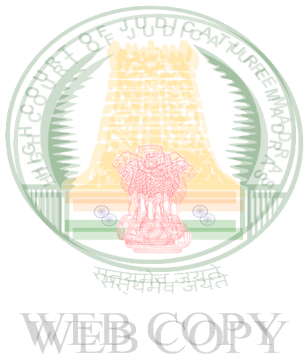
1. The State Rep By, The Inspector Of
Police
Pulliampatti Police Station, Erode.
Crime No.338 of 2024.

2. Rahamathulla

Respondent(s)

PRAYER

Criminal Original Petition is filed under Section 528 of BNSS to call for the records pertaining to the FIR in Crime No.338 of 2024 on the file of the 1st respondent and quash the same on the ground of compromise entered into between the petitioner and the 2nd respondent.



For Petitioner(s): Mr.R.Prabakar

For Respondents: Mr.R.Vinothraja for R1
Government Advocate [Crl.Side]
R2- Appeared in person

ORDER

The Criminal Original Petition has been filed seeking to call for the records pertaining to the FIR in Crime No.338 of 2024 on the file of the 1st respondent and quash the same on the ground of compromise entered into between the petitioner and the 2nd respondent.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the 1st respondent and 2nd respondent / party-in-person.

3. The allegation levelled against the petitioners is that, the petitioners along with A.1 attacked the 2nd respondent / defacto complainant on account of money dispute between them, due to which the 2nd respondent sustained injuries and the present complaint has been lodged against the petitioners. Hence, a



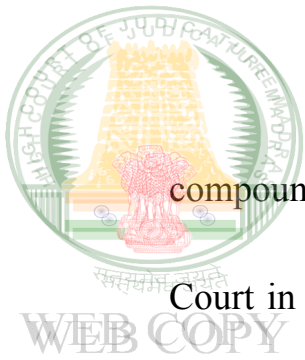
case in Crime No.338 of 2024 was registered for the offences under Sections 296(b), 115(2), 118(1), 127(2), 351(3) of BNSS.

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 Mr.G.Rajkumar, Puliampatti Police Station.

6. On being enquired by this Court, the de facto complainant stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

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.

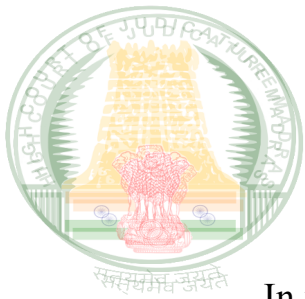
8. In the present case, the offences in question are purely

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.



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In view of the above, this Criminal Original Petition is allowed. The First Information Report in Crime No.338 of 2024 pending on the 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 record.

18-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssd

To

1. The State Rep By, The Inspector Of
Police

Pulliampatti Police Station, Erode.

Crime No.338 of 2024.

2. The Public Prosecutor,
High Court, Madras



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CRL OP No. 25654 of 2



N.SATHISH KUMAR J.

ssd

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2025**

18-09-2025