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Crl.O.P.No.25425 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25425 of 2025

M.Manokaran

... Petitioner

Vs.

1. State rep by
The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District

2. Samsudeen

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS to quash the FIR No.827 of 2024 on the file of the 1st respondent.

For Petitioner : Ms.E.Angayarkanni

For R1 : Mr.R.Vinothraja
Government Advocate (Criminal Side)

For R2 : Appeared in-person

ORDER

The Criminal Original Petition has been filed seeking to quash FIR No.827 of 2024 on the file of the 1st respondent.

2. Heard the learned counsel appearing for the petitioner, the



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

3. The allegation levelled against the petitioner is that, the safety equipments have not been properly given to the defacto complaint's brother during the employment, therefore, the defacto complainant's brother died due to accident. Hence, a case in Crime No.827 of 2024 was registered for the offences under Section 106(1) of BNSS.

4. The petitioner has stated that he has settled the dispute with the de facto complainant amicably and hence, seek to quash the First Information Report as against him. They have also filed a Joint Memo of Compromise executed between petitioner and the second respondent to that effect.

5. The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.S.Arul, Spl. Sub Inspector of Police, Chengalpet Taluk Police Station.

6. On being enquired by this Court, the de facto complainant



stated that he has amicably settled the dispute with the petitioner and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same. Further, it is now stated that the compensation has been fully paid.

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 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, 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 petitioner



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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.827 of 2024 pending on the file of the first respondent, is quashed as against the petitioner. The Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the record.

18.09.2025

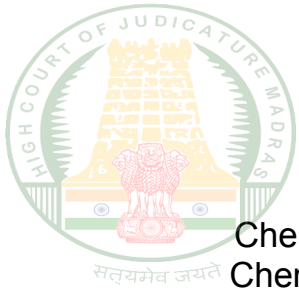
ssd

Neutral Citation:Yes/No

To

1. State rep by
The Inspector of Police,

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Chengalpattu Taluk Police Station,
Chengalpattu District

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2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

ssd

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