

Crl.OP.No.24931 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.24931 of 2025

1. P

2. Q

3. R

... Petitioners

Vs.

1.State Rep. by

The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai.
[Crime No.2 of 2025]

2.X

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in PRC.No.22 of 2025 on the file of the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai to quash the same.

For Petitioners : Mr.S.Suresh

For Respondent-1 : Mr.R.Vinothraja, GA (Crl. Side)

For Respondent-2 : Mr.U.Vignesh



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ORDER

The proceedings in PRC.No.22 of 2025 on the file of the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai, is put under challenge in the present Criminal Original Petition.

2. Heard the learned counsel for the parties.

3. The case of the prosecution is that A1 and A2 are husband and wife and A3 is father of A2. A2 introduced the defacto complainant to A1 and induced the defacto complainant to invest in A1's business. While so, there arose dispute between A1 and the defacto complainant in regard to money transaction. It is alleged that A1 threatened, seduced and sexually abused the defacto complainant. Hence, a case was registered against A1 along with two others and the same was taken on file by the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai in PRC No.22 of 2025.

4. The petitioners along with the second respondent has filed Joint Compromise Memo wherein it has been stated that the petitioners and the



second respondent have amicably settled the issues between themselves and hence, seek to quash the PRC No.22 of 2025, pending on the file of the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai.

5. Ms.N.Kannaki, Women Head Constable was present before this Court and she informed this Court that the defacto complainant and the petitioners had approached her and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the said PRC proceedings.

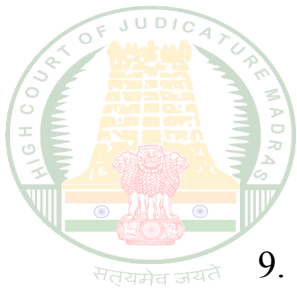
6. The defacto Complainant is also present before this Court at the time of hearing. This Court enquired the defacto complainant and she had stated that they had amicably settled the dispute between themselves and she is not willing to proceed with the the criminal proceedings and seeks to quash the same.

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

8. 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 Guj Rath*, 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.



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9. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainant 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. In view of the above, this Court is inclined to quash the Final Report filed in the case in PRC No.22 of 2025 on the file of the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai in exercise of its jurisdiction under Section 482 of Cr.P.C..

10. Accordingly, this Criminal Original Petition is allowed and the case in PRC No.22 of 2025 on the file of the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai, is quashed. The Joint Compromise Memo filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

11.09.2025

DP

To

- 1.The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai.
- 2.The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

DP

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