



Crl.O.P.No.25475 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25475 of 2025

1. Prashanth Subbiah
S/o.D.Subbiah
Rep. by Power of Attorney D.Subbiah
4/3, 1st Cross Street, Dhandeeswaram Nagar
Velacheri, Chennai – 600 042

2.D.Subbiah

3. Gunasundari

... Petitioners

Vs.

1. The Inspector of Police
W-21, All Women Police Station
Guindy, Adyar, Chennai
(Crime No.3 of 2024)

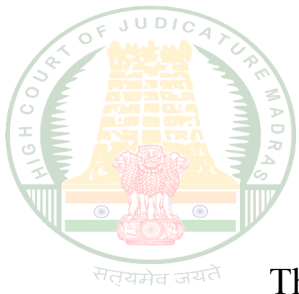
2. Dhivyabharathi Balakrishnan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.753 of 205 on the file of IX Metropolitan Magistrate Courts, Saidapet, Chennai and quash the same against the petitioners/accused herein.

For Petitioners : Mr.S.Satish
For R1 : Mr.R.Vinothraja
Government Advocate (Crl. Side)
For R2 : Mr.A.M.M.Arivazhagan

ORDER



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The Criminal Original Petition has been filed to quash the final report filed against the petitioners for the offence under Section 498(A) IPC in C.C.No.753 of 205 on the file of IX Metropolitan Magistrate Courts, Saidapet, Chennai against the petitioners/accused on the basis of compromise entered into between the parties.

2. Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the second respondent and the learned Government Advocate (Criminal Side) appearing for the first respondent police.

3. The learned counsel for the petitioners submits that the 1st petitioner is the husband and the 2nd and 3rd petitioners are in-laws of the defacto complainant. Due to matrimonial dispute, the defacto complainant lodged the complaint against her husband and in-laws. Now the parties have arrived to a amicable settlement between them and they have also filed a joint compromise memo to that effect. Hence, he seeks to quash the the final report against the petitioners.

4. The 1st petitioner/A1 appeared through video conferencing. The petitioners 2 and 3/A2 and A3 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 Mrs.R.Kongalpiratti, WHC 36490, W-



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21, All Women Police Station, Guindy, Chennai.

WEB COPY 5. On being enquired by this Court, the de facto complainant stated that she has amicably settled the dispute with the petitioners and not willing to pursue the criminal proceedings and she has no objection to quash the same. A Joint Compromise Memo dated 09.09.2025 has also been filed to that effect. Further, the parties have agreed to go for mediation.

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 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/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



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7. 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.

8. In view of the above, the final report filed against the petitioners in C.C.No.753 of 205 on the file of IX Metropolitan Magistrate Courts, Saidapet, Chennai, is quashed. The Joint Compromise Memo dated 09.09.2025 filed by the parties for compromising the offence shall form part of the record.

9. Accordingly, this Criminal Original Petition is allowed.

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

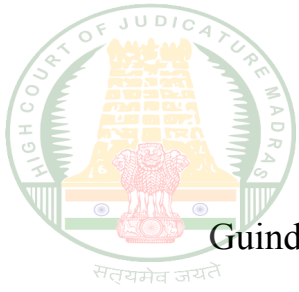
Neutral Citation:Yes/No

To

1. The IX Metropolitan Magistrate Courts,
Saidapet, Chennai

2. The Inspector of Police
W-21, All Women Police Station

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Guindy, Adyar, Chennai

WEB COPY 3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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