



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25513 of 2025

1. SELVIN

S/o. Munusamy,

2.Rani @ Suthers Jeyarani

W/o. Selvin,

Both are residing at, No.20-D, Kollar
Street, Veeraganur, Thalaivasal Taluk,
Salem District.

3. GOPI

S/o. Venkatachalam,

No.84/49, Police Station, Street,
Veeraganur, Thalaivasal Taluk,
Salem District.

Petitioner(s)

Vs

1. State Rep by its,

The Inspector of Police,
Veeraganur Police Station,
Salem District.

2.SURESH

S/o. Chinnaamy, Ward -5, Meenvar



Street, Veeraganur Post, Thalaivasal
Taluk, Salem District.

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Respondent(s)

PRAYER This Criminal Original Petition is filed under Section 528 of BNSS To call for the records relating to the case registered in Crime No. 118/2022 dated 13.07.2022 pending on the file of the 1st Respondent police and quash the FIR.

For Petitioner(s): Mr.D.Dayalan

For R1 Mr.R.Vinoth Raja
Government Advocate (Crl.Side)

For R2 Mr.G.M.Sankar

ORDER

This Criminal Original Petition has been filed to call for the records relating to the case registered in Crime No. 118/2022 dated 13.07.2022 pending on the file of the first respondent police and quash the FIR .

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the second respondent and the learned Government Advocate (Crl.Side) appearing for the respondent-Police and perused the materials available on record.



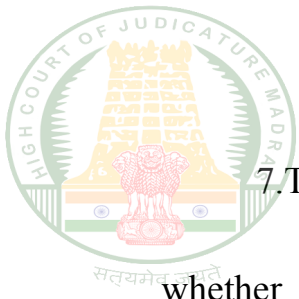
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3. Based on the complaint given by the complainant/second respondent herein as against the accused persons who the petitioners herein and others, a case in Crime No.118 OF 2022 has been registered by the first respondent-Police for the offences under Sections 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003 and 448 and 506(i) of the IPC.

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 their respective counsel as well as by Mr.V.Gunasekaran, SSI, Veeraganur Police Station, Salem District.

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 the criminal proceedings and he has also filed an affidavit with regard to the same and seeks to quash the F.I.R.



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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 Gujra*th, 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



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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. 118 of 2022 pending on the file of the first respondent-Police, 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.

17-09-2025

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Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No



To
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1. The Inspector of Police,
Veeraganur Police Station, Salem
District.
2. The Public Prosecutor, High Court,
Chennai.



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