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CRL OP No. 25269 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25269 of 2025

Aravinth @ Aravinth Subramani
S/o. Subramani,
No.1/219, North Street,
Bondinayyakkannpatti, Namakkal.

Petitioner(s)

Vs

1. The State rep by
The Inspector of Police
Peelamedu Police Station,
Coimbatore. Crime No.671 of 2024

2.Rohini Priya
W/o. Aravind Subramani,
No.614, Jain Complex East Apartment,
Avinash Road, Peelamedu,
Coimbatore.

Respondent(s)



PRAYER

This Criminal Original Petition has been filed under Section 528 of BNSS to call for the records in Crime No.671 of 2024 pending on the file of the respondent police and compromise quash the same against the petitioner.

For Petitioner(s): Mrs. M. Kruthika

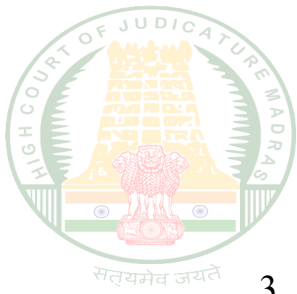
For Respondent(s): Mr.R.Vinothraja,
Govt. Advocate (crl.side)
For R1

R2 appeared in person

ORDER

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.671 of 2024, pending on the file of the first respondent, on the basis of the compromise arrived at between the petitioners and the de facto complainant/second respondent.

2. Heard the learned counsel appearing for the petitioner, and the learned Government Advocate (Criminal Side) appearing for the respondents. The second respondent appeared in person.

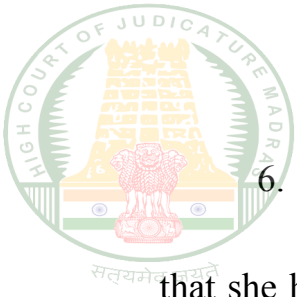


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3. The petitioner and the second respondent/defacto complainant are husband and wife. The allegation against the petitioner is that on 27.10.2024, due to wordy quarrel, the petitioner abused the defacto complainant in filthy language and assaulted her by using hands.

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 affidavit of Compromise executed between petitioners 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 Mr.S.Rajeshkumar, Head Clerk, 2533, F2 Peelamedu Police Station, Coimbatore (Mobile No.94981 72959) .



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

that she has amicably settled the dispute with the petitioner/husband and she is not willing to pursue the 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 528 of 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 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. 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 528 of BNSS.



9. In view of the above, this Criminal Original Petition is allowed. The

First Information Report in Crime No.671 of 2024 pending on the file of the

first respondent, is quashed as against the petitioners. The Joint affidavit of

Compromise filed by the petitioner and the second respondent for

compromising the offences shall form part of the record.

16-09-2025

Neutral Citation: Yes/No

mrp

To

1.The Inspector of Police,
Peelamedu Police Station, Coimbatore.
Crime No.671 of 2024



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N.SATHISH KUMAR J.

mrp

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