

Crl.O.P. No.25274 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.25274 of 2025

1. Subendiran
2. Manigandan
3. Senji
4. Murugan

... Petitioners

Vs.

1. The State Rep. by
Inspector of Police,
Thirupathur Taluk Police Station,
Thirupathur,
Cr.No.172 of 2025.

2. Varatharaj

... Respondents

PRAYER: Criminal Original Petition filed to call for the records in Crime No.172 of 2025 on the file of the Inspector of Police, Thirupathur Taluk Police Station, Thirupathur compromise and quash the same.

For Petitioners : Mr.M.Mubeen
For Respondents : Mr.R.Vinothraja,
Govt. Advocate (Crl. Side), for R1
Mr.Shaikh M. Myzzammil, for R2



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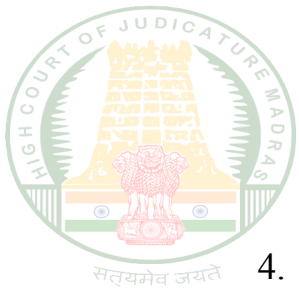
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ORDER

This Criminal Original Petition has been filed to quash the Crime No.172 of 2025 registered against the petitioner for the offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS Act 2023 on the file of the Inspector of Police, Thirupathur Taluk Police Station, Thirupathur.

2. The petitioners have stated in the petition that the petitioners and the defacto complainant amicably settled the issues between themselves and hence, seeks to quash the FIR. The petitioners also filed Joint Memo of Compromise executed between petitioners and the second respondent.

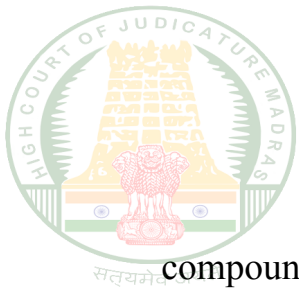
3. Ms.R.Vasanth, Head Constable, Tirupathur Taluk Police Station, was present before this Court and she informed this Court that the defacto complainant and the petitioners had approached her and informed that since they have amicably settled the dispute between themselves, they do not want to proceed further with the criminal proceedings.



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

5. The learned Additional Public Prosecutor 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.

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 Crl 10*, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Cr.P.C, to quash non-



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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.

7. 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 First Information Report registered in Crime No.172 of 2025 pending on the file of the first respondent in exercise of its jurisdiction under Section 482 of the Criminal.

8. Accordingly, this Criminal Original Petition is allowed and First Information Report registered in Crime No.172 of 2025 pending on the file of the first respondent, is quashed. The Joint Memo of Compromise filed by



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the petitioners and the second respondent for compromising the offences
shall form part of the records.

15.09.2025

pvs

To,

1. Inspector of Police,
Thirupathur Taluk Police Station,
Thirupathur,
Cr.No.172 of 2025.
2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

pvs

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