



WEB COPY

CRL OP Nos. 25618 and 24
of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 25618 of 2025 &
Crl.O.P.No.24451 of 2025 and Crl.M.P.No.16717 of 2025**

1. Sanjaikaran @ Sanjai
2. A.Divin Raj
3. Pradesh Kumar @ Pradeeshwaran

Petitioners in
Crl.O.P.No.25618 of 2025

1. Mahendran
2. Malathi @ Thirumalathi
3. Hemanthkumar
4. Kanchana

Petitioners in Crl.O.P.No.24451 of 2025

Vs

1. The State Rep by its, The Inspector
of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District. (Crime No.
471/2025)

2.Kanchana

Respondent in
Crl.O.P.No.25618 of 2025



1.State rep. By its
Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District
(Crime No.465 of 2025)
2. Ilaiya Raja

Respondents in
Crl.O.P.No.24451 of 2025

Prayer in Crl.O.P.No.25618 of 2025

Criminal Original Petition filed under Section 482 of Cr.P.C., / Section 582 of B.N.S.S., Act to call for the records and to quash the First Information report in Crime No. 471 of 2025 pending on the file of the 1st respondent as against the petitioners herein.

Prayer in Crl.O.P.No.24451 of 2025

Criminal Original Petition filed under Section 482 of Cr.P.C., / Section 582 of B.N.S.S., Act to call for the records and to quash the First Information report in Crime No. 465 of 2025 pending on the file of the 1st respondent as against the petitioners herein .

Crl.O.P.No.24451 of 2025

For Petitioner(s): Ms.K.Shalini

For Respondent(s): Mr.R.Vinothraja for R1
Government advocate (Crl.Side)

Mr.D.Padmanabhan for R2



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Crl.O.P.No.25618 of 2025

For Petitioner(s): Mr.D.Padmanabhan

For Respondent(s): Mr.R.Vinothraja for R1
Government advocate (Crl.Side)

Ms.K.Shalini for R2

COMMON ORDER

Since the issue involved in the petitions are one and the same, they are taken up together and a common order is being passed.

2. These Criminal Original Petitions have been filed to quash the cases in FIRs in Crime Nos.471 and 465 of 2025 pending on the file of the 1st respondent police for the offences under Sections 296(b), 115(2), 351(3) of BNSS and under Section 4 of Tamilnadu Prohibition of Women Harassment Act and Sections 329(3), 296(b), 118(1) of BNSS Act respectively.

3. The allegations against the petitioners is that on account of previous enmity, the petitioners have attacked the defacto complainants and their family members, on account of which they have admitted in hospital and treated as outpatient and hence the complaints have been lodged.



4. The petitioners along with the second respondent in both the petitions have stated that the incident occurred out of sudden provocation between relatives and neighbors without any ulterior motive and since the parties are related and residing nearby, continuation of criminal proceedings will only prolong enmity, therefore, they have amicably settled the issues between themselves and hence, seek to quash the FIRs.

5. Mr.S.Arul, Special Sub Inspector of Police, D2, Chengalpet Taluk Police Station was present before this Court and he informed this Court that the second respondent in both the petitions had approached him and informed him that they do not want to proceed further with the criminal case registered as against the petitioners.

6. The second respondent in both the petitions were also present before this Court at the time of hearing. This Court enquired the 2nd respondent in both the petitions and they stated that they seek to quash the criminal proceedings.

7. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while these cases are 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 Gujrat*, 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.



9. In the present cases, the offence in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainants and quashing the proceedings, will not affect any overriding public interest in these cases 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 FIRs in Crime Nos.471 of 2025 and 465 of 2025 on the file of the 1st respondent police in exercise of its jurisdiction under Section 482 of Cr.P.C..

10. Accordingly, these Criminal Original Petitions are allowed and the cases in Crime Nos.471 of 2025 and 465 of 2025 on the file of the 1st respondent police, is quashed. The Joint Compromise Memos filed by the petitioners and the second respondent in both the petitions for compromising the offences shall form part of the records. Consequently, connected miscellaneous petition is closed.

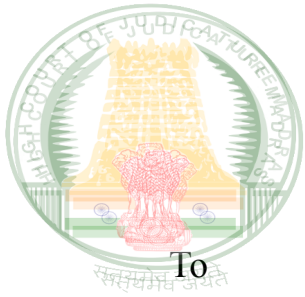
18-09-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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1. The State Rep by its, The Inspector of
Police,
Chengalpattu Taluk Police Station,
Chengalpattu District. (Crime No.
471/2025)

2. The Public Prosecutor
High Court, Madras



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N.SATHISH KUMAR J.

ssd

**CRL OP Nos. 25618 and
24451 of 2025**

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