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CRL OP No. 26408 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26408 of 2025

Krishnaraj

Petitioner(s)

Vs

1. State Rep by, The Inspector of
Police,
Thirunavalur Police Station, Villupuram
District. (Crime No. 92/2021)

2.Gajavalli @ Jagavalli
3.Yuvaraj

Respondent(s)

PRAYER

Criminal original Petition filed under Section 528 of BNSS and 482 of Cr.P.C.,
to call for the records in FIR No.92/2021 pending investigation on the file of the
1st respondent police and quash the same as against the petitioner.

For Petitioner(s): Mr.G.Meganathan

For Respondent(s): Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)
R2 and R3 – Appeared in person



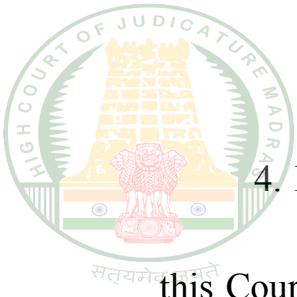
ORDER

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This Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.92/2021 pending investigation on the file of the 1st respondent police and quash the same as against the petitioner.

2. The allegation levelled against the petitioner is that the petitioner/A.3 along with others have assaulted the 3rd respondent on account of previous enmity and also abused him with filthy language, on account of which, the 2nd respondent lodged a complaint against the petitioner. In pursuant to the same, 1st respondent has registered an FIR in Crime No.92 of 2021 for offences under Sections 147, 294(b), 323, 324 and 506(ii) of IPC.

3. The petitioner has stated in the petition that the petitioner and the respondents 2 and 3 have amicably settled the issues between themselves and hence, seeks to quash the Final Report as against the petitioner. The petitioner also filed Joint Memo of Compromise executed between petitioner and the respondents 2 and 3.



4. Mr.C.Prabakaran, S.I., Thirunavalur Police Station was present before this Court and he informed this Court that the defacto complainant, victim and the petitioner had approached him and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.

5. The respondents 2 and 3 / Defacto Complainant and victim are present before this Court at the time of hearing. This Court enquired them and they stated that they had amicably settled the dispute between themselves and they are not willing to proceed with the the criminal proceedings and seeks to quash the same.

6. The learned Government advocate (Crl.Side) 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.



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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 petitioner. 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, / Section 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 Court.

8. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioner 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.92 of 2021 pending on the file of the first respondent in exercise of its jurisdiction under Section 482 of the Criminal Procedure Code / Section 528 of BNSS Act.

9. Accordingly, this Criminal Original Petition is allowed and First Information Report registered in Crime No.92 of 2021 pending on the file of the first respondent, is quashed as against the petitioner. The Joint Memo of Compromise filed by the petitioner and the second and third respondents for compromising the offences shall form part of the records.

25-09-2025

Index: Yes/No; Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssd

To

1.State Rep by, The Inspector of Police,
Thirunavalur Police Station, Villupuram
District. (Crime No. 92/2021)

2. The Public Prosecutor,
High Court, Madras



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CRL OP No. 26408 of 2



N.SATHISH KUMAR J.

ssd

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25-09-2025