

Crl.O.P. No.25308 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.25308 of 2025

P.Chidambararajan

... Petitioner

Vs.

1. The State Rep. by
Inspector of Police,
All Women Police Station,
Chidambaram,
Cuddalore District.

2. (Redacted)

... Respondents

PRAYER: Criminal Original Petition filed to call for the records pertaining to the FIR in Crime No.2 of 2025 pending on the file of the 1st respondent Police and compromise quash the same.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.R.Vinothraja,
Govt. Advocate (Crl. Side), for R1
R2-appeared in person

ORDER



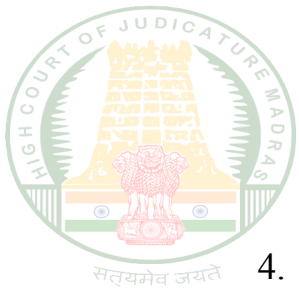
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This Criminal Original Petition has been filed to quash the FIR in Crime No.2 of 2025 registered against the petitioner for the offence under Section 75(2) of BNS Act r/w. Section 4 of TNWPH Act on the file of the first respondent Police.

2. It is the case of the prosecution that the second respondent/de-facto complainant was studying in a College and the petitioner is working in the said College as Store Keeper in Chemistry Department. On 06.02.2025, when the second respondent was in Chemistry Lab, the petitioner misbehaved with her. The same was informed to the Head of the Department, but no action was taken. Hence, she lodged a complaint to the first respondent Police and an FIR came to be registered against the petitioner.

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

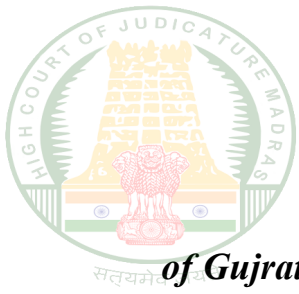


4. Ms.K.Karpagam, Grade II Women Police, was present before this Court and informed that the defacto complainant and the petitioner had approached her and informed that since they have amicably settled the dispute between themselves, they do not want to proceed further with the criminal proceedings.

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

6. 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.

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***



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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-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. It is stated in the joint memo of compromise that the second respondent at the instigation and emotion, lodged the complaint against the petitioner but thereafter only she realized that there is no fault on him. Hence, she wants to withdraw the complaint. In view of the unambiguous statement given by the second respondent, this Court is of the view that the continuation of criminal proceedings will not serve any purpose and it would only prolong distress for all concerned, especially when the *de facto* complainant has specifically mentioned that she desires to move forward with a peaceful life and to avoid any further harassment or distress caused by



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the ongoing legal proceedings. Therefore, this Court is inclined to quash the FIR in exercise of its jurisdiction under Section 528 of BNSS.

9. Accordingly, this Criminal Original Petition is allowed and First Information Report registered in Crime No.2 of 2025 pending on the file of the first respondent, is quashed. The Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

15.09.2025

pvs

To

1. The Inspector of Police,
W-24, All Women Police Station,
Teynampet, Chennai.
2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

pvs

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