



Crl.O.P.No.26654 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

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CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.26654 of 2025 & Crl.M.P.No.18085 of 2025

1.Mohamed Umar
2.Thowfeek
3.Mohamed Abubacker Sideeq
4.S.Ansaru Deen ... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
Egmore Police Station
Triplicane, Chennai
Crime No.587 of 2021

2. Selvakumar ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records to quash the FIR in Cr.No.587 of 2021 on the file of the first respondent as illegal, incompetent and abuse of process.

For Petitioner : Mr.C.S.Srinivasan
For R1 : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition has been filed seeking to quash the Cr.No.587 of 2021 pending on the file of the first respondent and quash the same as against the petitioners for the alleged offences punishable under



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Sections 147, 341, 294(b), 324 and 506(ii) of IPC on the ground of compromise entered into between them.

2. The petitioners and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.M.Singaravelan, Sub-Inspector of Police, F2 Egmore Police Station, Chennai– 600 008.

3. On being enquired by this Court, the defacto complainant stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the the criminal proceedings and therefore, seeks to quash the same.

4. 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



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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.

5. 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.

6. In view of the above, this Criminal Original Petition is allowed. The FIR in Cr.No.587 of 2021 pending on the file of the first respondent is quashed as against the petitioner. The Memorandum of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the record.



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N. SATHISH KUMAR, J.

Consequently, connected miscellaneous petition stands closed.

06.10.2025

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Egmore Police Station
Triplicane, Chennai
2. The Public Prosecutor,
High Court of Madras.

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