



CrI.O.P.No.27575 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.27575 of 2025
and CrI.M.P.No.18662 of 2025

- 1.Abdul Rahim
- 2.Kausar Hameed M B
- 3.Ayesha Hameed

... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
W-16, AWPS, Pulianthope
Chennai – 600 012
Crime No.5 of 2023

2. Redacted

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the proceedings in C.C.No.30/2025 on the file of the learned Metropolitan Magistrate Additional Mahila Court, Egmore, Chennai in Cr.No.5/2023 of W-16, AWPS, Pulianthope based on the compromise arrived with the defacto complainant.

For Petitioner : Mr.K.Kably Taiyab Khan
For R1 : Mr.R.Vinothraja
Government Advocate (CrI.Side)

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.30/2025 on the file of the learned Metropolitan Magistrate Additional Mahila Court, Egmore, Chennai for the offences



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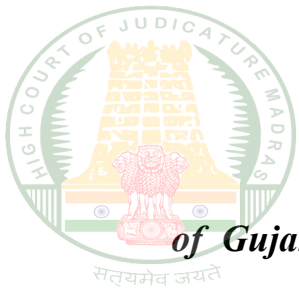
under Sections 498(A), 408 of IPC read with 34 of IPC in Cr.No.5/2023 of

W-16, AWPS, Pulianthope based on the compromise arrived with the defacto complainant.

2. The petitioners and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by M/s.A.Manimegalai, Women Sub-Inspector of Police, W-16, AWPS, Pulianthope, Chennai.

3. On being enquired by this Court, the defacto complainant stated that she has stated that she has resumed cohabitation with the first petitioner(A1) and living together peacefully along with her in-laws(petitioners 2 and 3) at their matrimonial home and thus, she 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*



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of Gujarat, 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.

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 chargesheet in C.C.No.36 of 2025 on the file of the learned Metropolitan Magistrate, Additional Mahila Court, Egmore, Chennai is quashed as against the petitioners. Consequently, connected miscellaneous

N.SATHISH KUMAR, J.



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petition stands closed. The Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the record.

09.10.2025

dhk

Neutral Citation: Yes/No

To

1. The Inspector of Police,
W-16, AWPS, Pulianthope
Chennai – 600 012
2. The Metropolitan Magistrate
Additional Mahila Court, Egmore, Chennai
3. The Public Prosecutor,
High Court of Madras.

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