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Crl.O.P.No.27665 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.27665 of 2025

Ayyadurai @ Duraisingam

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police
E-4 Abiramipuram Police Station
(Crime No.131 of 2025)

2. Vishvapathi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the impugned First Information Report No.131 of 2025 pending on the file of the respondent police.

For Petitioner : Ms.S.Naveenha Devi

For R1 : Mr.R.Vinothraja
Government Advocate (Crl. Side)



ORDER

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The Criminal Original Petition has been filed to quash the First Information Report No.131 of 2025 dated 31.05.2025, pending on the file of the respondent police, on the ground of compromise.

2. The defacto complaint/second respondent lodged a complaint stating that the petitioner and other accused received a sum of Rs.2,50,000/- from him to close a complaint lodged against him by a third party. Subsequently, the defacto complainant himself solved the dispute and therefore, he asked for return of money for which, the accused stated they have already spent Rs.5 lakhs to solve his problem and until he pays the balance amount of Rs.2,50,000/-, they would keep his car with them and also threatened him with dire consequences. Based on the said complaint, the FIR No.131 of 2025 came to be registered against the petitioner and other accused on 31.05.2025, for the offences under Sections 406, 420, 294(b), 384, 506(1) of IPC.

3. The learned counsel for the petitioner submits that now the parties have arrived to an amicable settlement between them and a Joint Compromise Memo signed by both the parties has also been filed to that effect. Hence, he seeks to quash the First Information Report as against the petitioner.



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4. The petitioner and the de-facto complainant/second respondent appeared before this Court in person and they were identified by the learned counsel for the petitioner and by Mr.P.Maruthu Pandian, Head Constable, E-4, Abiramapuram Police Station, Chennai.

5. On being enquired by this Court, the de facto complainant/second respondent stated that he has amicably settled the dispute with the petitioner and not willing to pursue this criminal proceedings and has no objection to quash the same. He has also filed an consent affidavit to that effect.

6. 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/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



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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.

7. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner 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.

8. Further, the Hon'ble Supreme Court in ***K.Bharthi Devi v. State of Telengana*** reported in ***(2024) 10 SCC 384***, has held that the offences, which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions, where the wrong is basically to the victim, and the offender and the victim have settled all the disputes between them amicably, can be quashed by the High Court in exercise of its jurisdiction under Section 482 Cr.P.C.

9. In view of the above, this Court is inclined to quash the First Information Report registered against the petitioner, by the first respondent.

10. Accordingly, the First Information Report No.131 of 2025 dated 31.05.2025, pending on the file of the first respondent, is quashed as



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against the petitioner. The consent affidavit dated 15.09.2025, filed by the second respondent/defacto complainant and the Joint Compromise Memo signed by both the parties Nil dated September 2025, for compromising the offences, shall form part of the record.

9. Accordingly, this Criminal Original Petition is allowed.

10.10.2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Inspector of Police
E-4 Abiramipuram Police Station
Chennai
2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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