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Crl.O.P.No.27604 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.27604 of 2025

R.Nambirajan

... Petitioner

Vs.

1.State of Tamil Nadu
Inspector of Police
N-2, Kasimedu Police Station
Chennai

2. Pramila Govindaraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for records relating to FIR in Crime No.568 of 2024 registered for the offences under Section 194(3) of BNSS, now altered into Section 108 of BNS, pending on the file of 1st respondent police and quash the same.

For Petitioner	: Mr.A.Manojkumar
For 1 st Respondent	: Mr.K.M.D.Muhilan Additional Public Prosecutor
For 2 nd Respondent	: Mr.J.Ruban

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.568 of 2024 dated 30.09.2024, originally registered for the offence under Section 194(3) of BNSS, now altered to Section 108 of BNS/306 IPC, pending on the file of 1st respondent police, on the ground of compromise.



2. The daughter of the defacto complainant who is the wife of the petitioner committed suicide by hanging. The marriage between the petitioner and the deceased was solemnized on 27.10.2017 and she committed suicide on 30.09.2024. Therefore, the FIR came to be registered against the petitioner for abetment.

3. The learned counsel on both sides submitted that the parties have compromised the dispute between themselves and arrived to an amicable settlement and to that effect, a Joint Compromise Memo dated 15.09.2025 has also been filed.

4. Today, both the parties appeared before this Court and they were identified by their respective counsel and also by Mr.S.Veerabahu, Grade-I (57887), N2, Kasimedu Police Station.

5. The mother/defacto complainant and the father of the deceased stated that the petitioner/accused is not the reason for the death of their daughter.

6. In the FIR and alteration report, except the statement that at the time of marriage, 70 sovereigns of jewels were given and the petitioner/accused pledged 50 sovereigns of the jewels to open a beauty parlour and he was in illegal relationship with some other girl, in respect of which, there was a dispute between the husband and wife during which, the



deceased/wife was told to go and die, there is no other allegation against the petitioner. Further, in the RDO report, it is recorded that after the inquest, it was found that there was no dowry demand and the suicide was due to some misunderstanding. Now the parties have compromised the issue between themselves.

7. A perusal of the entire prosecution materials shows that except the statement to the effect that the petitioner appears to have scolded the deceased to go and die, there is no other material against him. Mere scolding of the wife, by husband without animus and when the said statement is made without intention, the same would not amount to incitement or abetment to drive the deceased to take such an extreme step.

8. The learned Government Advocate (Crl. Side) appearing on behalf of the respondent-Police 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.

9. 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



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Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State 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./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.

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

11. Therefore, considering the above materials and now the parties have compromised the dispute, this Court is of the view that the prosecution case alone is not enough to convict a person.



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12. Hence, this Court is inclined to quash the FIR in Crime No.568 of 2024 dated 30.09.2024 against the petitioner in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.

13. Accordingly, this Criminal Original Petition is allowed and the FIR against the petitioner in Crime No.568 of 2024 dated 30.09.2024, is quashed. The Joint Compromise Memo dated 15.09.2025, filed by the parties for compromising the offences, shall form part of the records.

13.10.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

1.Inspector of Police
N-2, Kasimedu Police Station
Chennai

2.The Public Prosecutor
High Court of Madras



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N. SATHISH KUMAR, J.

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