



Crl.O.P.Nos.27581 & 27597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.Nos.27581 & 27597 of 2025

1.P.Bharath

2.P.Sathish

... Petitioners in both OPs

Versus

1. The Inspector of Police,
K-11, CMBT Police Station
Koyambedu, Chennai District
(Cr.No.982 of 2024)

2. Redacted ... Respondents in Crl.O.P.No.27581 of 2025

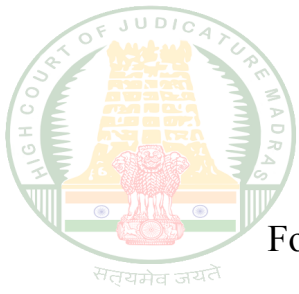
1. The Inspector of Police,
Poonamallee Police Station
Avadi, Chennai District
(Cr.No.1024 of 2024)

2. Redacted ... Respondents in Crl.O.P.No.27581 of 2025

Common Prayer: Criminal Original Petitions are filed under Section 528 of BNSS, 2023 to call for the entire records in pursuant to the FIRs in Cr.No.982 of 2024 and 1024 of 2024 respectively on the file of the first respondent in the respective petitions and quash the same.

In both OPs

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For Petitioners : Mr.D.Ajith Kumar
For R1 : Mr.R.Vinothraja
Government Advocate (Crl.Side)
For R2 : Mr.R.Vigneswaran

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the FIRs in Cr.No.982 of 2024 and 1024 of 2024 respectively on the file of the first respondent in the respective petitions based on the compromise reached between the parties.

2. FIR in Cr.No.982 of 2024 has been registered for the offences punishable under Sections 296(b), 125(a) and 109(1) of BNS, 2023. The FIR in Cr.No.1024 of 2024 has been registered for the offences punishable under Sections 406 of IPC and 4 of TN Prohibition of Harassment of Women Act, 2002.

3. The crux of the allegations in both the complaints is that the defacto complainant fell in love with the first petitioner for sometime and then arose some dispute between them. According to the petitioner, during the relationship, the accused has received some amount which has not been re-paid to the defacto complainant. In this regard, when the petitioner gave a



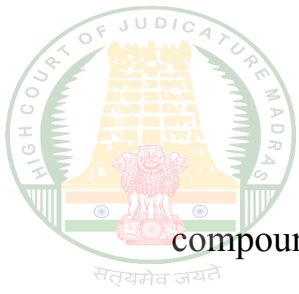
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complaint before the police, thereafter, the accused had made an attempt to kill her by driving the car. Therefore, the first petitioner along with his father/second petitioner in Crl.O.P.No.27597 of 2025 is also arrayed as an accused in Cr.No.1024 of 2024. The first petitioner along with his brother/second petitioner in Crl.O.P.No.27581 of 2025 are arrayed as accused in Cr.No.982 of 2024.

4. Now, the petitioners as well as the defacto complainant have arrived at a compromise and have filed these petitions seeking for quashment of FIRs against the petitioners. The petitioners and the de-facto complainant/R2 in both the petitions appeared before this Court and they were identified by their respective counsel as well as by Mr.S.Kannan, Sub Inspector, T12, Poonamallee Police Station.

5. On being enquired by this Court, the defacto complainant stated that they have amicably settled the dispute and now, she is not willing to pursue the the criminal proceedings and therefore, seeks to quash the same.

6. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-



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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, 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.

7. In the present cases, 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.

8. In view of the above, these Criminal Original Petitions are allowed. FIRs in Cr.No.982 of 2024 and Cr.No.1024 of 2024 pending on the file of



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the first respondent police respectively are quashed as against the respective petitioners. The Joint Compromise Memo filed by the petitioners and the second respondent in both the cases for compromising the offences shall form part of the record.

09.10.2025

dhk

Neutral Citation: Yes/No

To

1. The Inspector of Police,
K-11, CMBT Police Station
Koyambedu, Chennai District
2. The Inspector of Police,
Poonamallee Police Station
Avadi, Chennai District
3. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.

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