



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 29128 of 2025

1.Sathishkumar

2. Dineshkumar

Petitioner(s)

Vs.

1. State Rep by,

The Inspector of Police, Law and order,

E-1, Mylapore Police Station,

Mylapore, Chennai - 600 004.

2.Shanmugasundaram

Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/528 of BNSS, to call for the records in C.C. No.808 of 2025 in FIR No.145 of 2024 on the file of XVIII Metropolitan Magistrate Court, at Saidapet, Chennai - 600 015 and quash the same.

For Petitioner(s): Mr.P.Saranath

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

ORDER

This Criminal Original Petition has been filed to quash C.C. No.808 of 2025, pending on the file of the learned XVIII Metropolitan Magistrate Court, at



Saidapet, Chennai, for the offences under sections 294[b], 323 and 506[i] of IPC
r/w 34 IPC.

2. The allegation against the accused in the Final Report is that in a wordy quarrel, the accused are said to have abused the de facto complainant and threatened him.

3. The petitioners have filed an affidavit and they, along with the second respondent, have filed a Memorandum of Understanding, wherein, it has been stated that the petitioners and the second respondent, on the advice of their elders, have amicably settled the issue between themselves and hence, seek to quash the Final Report.

4. Mr.S.Rajasekaran, Sub Inspector of Police E-1, Mylapore Police Station, Mylapore, Chennai - 600 004, was present before this Court and he informed this Court that the de facto complainant and the petitioners had approached him and informed that since they have amicably settled the dispute



between them, they do not want to proceed further with the criminal proceedings.

5. The de facto Complainant was also present before this Court at the time of hearing. This Court enquired the de facto complainant and he had stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the criminal proceedings and seeks to quash the same.

6. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent 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.

7. 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 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.

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



9. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C. No.808 of 2025, pending on the file of the learned XVIII Metropolitan Magistrate Court, at Saidapet, Chennai, in exercise of its jurisdiction under Section 482 of Cr.P.C.

10. Accordingly, this Criminal Original Petition is allowed and the case in C.C. No.808 of 2025, pending on the file of the learned XVIII Metropolitan Magistrate Court, at Saidapet, Chennai, is quashed on condition that the petitioners shall pay a sum of Rs.5,000/- each (Rupees Five Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) week from the date of receipt of a copy of this order. The affidavit and the Memorandum of Understanding filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

29-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA J.

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To

1.The Inspector of Police,
Law and order,
E-1, Mylapore Police Station,
Mylapore, Chennai - 600 004.

2.The Public Prosecutor,
High Court, Madras.

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