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CRL OP No. 26621 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26621 of 2025

1. D.Ramalingam

S/o.Dhakshanamoorthy, No.D1/7, ESIC

Hospital Staff Quarters, Ashok Pillar
Road, K.K.Nagar, Chennai-600 078.

Presently Residing at Plot No.98, 1st
Floor, Mahalakshmi Nagar Extension,
Near Renga Rice Mill, Nandivaram-
Guduvancheri, Chengalpattu District-
603 202.

Petitioner(s)

Vs

1. The State Rep by, The Sub Inspector
of Police (Law and Order),

R-10, M.G.R.Nagar Police Station,
Chennai City Police, Chennai-600 083.
Cr.No.1981/2017.

2.Redacted

Respondent(s)



PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in CC No.1570/2025 pending on the file the Learned XXIII Metropolitan Magistrate, Saidapet, Chennai, arising out of Cr.No.1981/2017 registered by the 1st respondent and quash the same as against the petitioner.

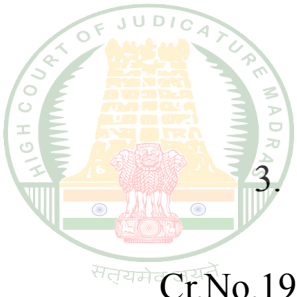
For Petitioner Mr.S.Sathish
For Respondent(s): Mr.R.Vinoth Raja
Government Advocate (Crl.Side
For R1

Mr.R.M.Rithik Veeramani
For R2

ORDER

This Criminal Original Petition has been filed to call for the records in CC No.1570/2025 pending on the file the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, arising out of Cr.No.1981/2017 registered by the first respondent-Police and to quash the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent-Police and perused the materials available on record.



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3. The allegations against the accused in the final report made in Cr.No.1981/2017 is that the petitioner and the defacto complainant are neighbours and that due to domestic quarrel, the petitioner abused the defacto complainant with filthy language, assaulted her and attempting to misbehave with her. Hence, the defacto complainant lodged a complaint before the respondent Police. The respondent Police registered a case as against the petitioner for the offences under Section 354A IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 1998.

4. After completion of investigation, the first respondent-Police filed a charge sheet and the same was taken on file in C.C.No.1570 of 2025 on the file of the XXIII Metropolitan Magistrate, Saidapet, Chennai,

5. The petitioner along with the second respondent/defacto complainant has filed Joint Compromise Memo, wherein it has been stated that they have amicably settled the issues between themselves and hence, seek to quash the case in C.C.No.1570 of 2025 on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai.



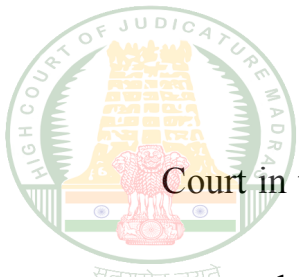
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6. Mr.Sasivarnam, SSI, R10 MGR Nagar Police Station was present before this Court and he informed this Court that the defacto complainant and the petitioner had approached him and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.

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

8. The learned Additional Public Prosecutor appearing on behalf of the first respondent-Police submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the nature 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 petitioners. The Hon'ble Supreme



Court in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarath,***

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.

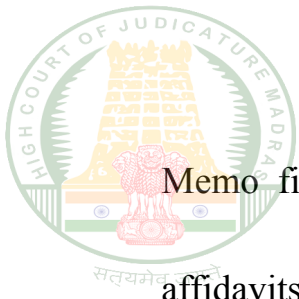
10. However, in the present case, the wrong is basically to the victim. The offender and the victim have now settled all the disputes between them amicably. Further, the petitioner as well as the *de facto* complainant have filed separate affidavits to the effect that they have entered into this compromise to ensure a well-being and peaceful future. In view of the unambiguous statements given by both the parties, this Court is of the view that the



continuation of criminal proceedings will not serve any purpose and it would only prolong distress for all concerned, especially when the *de facto* complainant has specifically mentioned that he desires to move forward with a peaceful life and to avoid any further harassment or distress caused by the ongoing legal proceedings. Therefore, this Court is inclined to quash the FIR in exercise of its jurisdiction under Section 528 of BNSS. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the defacto 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. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C.No.1570 of 2025 on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai, in exercise of its jurisdiction under Section 482 of Cr.P.C.

12. Accordingly, this Criminal Original Petition is allowed and the case in C.C.No.1570 of 2025 on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai, is quashed as against the petitioner. The Joint Compromise



Memo filed by the petitioner and the second respondent and the separate affidavits filed by the petitioner and the second respondent for compromising

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the offences shall form part of the records. Consequently, connected miscellaneous petition is closed.

25-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The XXIII Metropolitan Magistrate
Court, Saidapet, Chennai,

2. The Sub Inspector of Police (Law
and Order),
R-10, M.G.R.Nagar Police Station,
Chennai City Police, Chennai-600 083.

3. The Public Prosecutor,
High Court, Chennai.



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N.SATHISH KUMAR J.

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