



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 26913 of 2025

1. Vinothkumar @ Thiravalloor Vinod
Kumar

2. Sreedevi

3. Lakshmipathi

Petitioner(s)

Vs

1. The Inspector of Police
AWPS- Ambattur Police Station,
Thiruvallur District.
(Crime No. 9/2023)

2.B.Swetha,

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records and to quash the further proceedings in CC.No.379/2024 pending on the file of the Judicial Magistrate Court, Ambattur in Crime No. 9/2023 pending on the file of the 1st respondent in the event of compromise .



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For Petitioner(s): Mr.P.Muthamizhselvakumar
For R1 Mr.K.M.D.Muhilan
Additional Public Prosecutor
R2 Appeared in Person

ORDER

This Criminal Original Petition has been filed to call for the records and to quash the further proceedings in CC.No.379/2024 pending on the file of the Judicial Magistrate Court, Ambattur in Crime No. 9/2023 pending on the file of the 1st respondent in the event of compromise .

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent-Police and perused the materials available on record.

3. It is the case of the prosecution that the marriage between the first petitioner and the second respondent/defacto complainant was solemnized on 04.03.2022. Before marriage, the first petitioner had love affair with one girl and in order to left out the affair with the girl, the petitioners demanded Rs.50,00,000/- from the defacto complainant and abused her with filthy



language. Hence, the defacto complainant has given a complaint before the first respondent-Police as against the petitioners. Based on the same, first the respondent-Police registered a case in Crime No.9 of 2023 for the offences under Sections 498(A) & 506(1) of the IPC and 4 of Dowry Prohibition Act. After completion of investigation, the first respondent-Police filed a charge sheet and the same was taken on file in CC.No.379/2024 pending on the file of the Judicial Magistrate Court, Ambattur.

4.Mrs.G.Santhi, Women Head Constable, Red Hills AWPS, Chennai was present before this Court and she informed this Court that the *defacto* complainant and the petitioners had approached her 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 *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.



6. 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.

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 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 CrI 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 offence in question are purely individual/personal in nature. It involves dispute between the petitioners 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.

9. However, in the present case, the wrong is basically to the victim. The offender and the victim have now settled all the dispute between them amicably. Further, the petitioners 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 she had settled the issues with the petitioners so as to maintain the harmony in their life in future. In view of the above, this Court is inclined to quash the



Final Report filed the case in CC.No.379/2024 pending on the file of the Judicial Magistrate Court, Ambattur in exercise of its jurisdiction under Section 482 of Cr.P.C/528 of BNSS.

10. Accordingly, this Criminal Original Petition is allowed and the case in CC.No.379/2024 pending on the file of the Judicial Magistrate Court, Ambattur, is quashed as against the petitioners. The Joint Compromise Memo and separate affidavits filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

09-10-2025

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To

1. The Judicial Magistrate, Ambattur
2. The Inspector of Police
AWPS- Ambattur Police Station,
Thiruvallur district. (Crime No. 9/2023)
3. The Public Prosecutor,
High Court, Chennai.



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N.SATHISH KUMAR J.

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