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Crl.O.P.Nos.27852 and 23148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.Nos.27852 and 23148 of 2025 and
Crl.M.P.Nos.18903, 18905, 15825 and 15827 of 2025

In Crl.O.P.Nos.27852 of 2025

Mahendran

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police
B-4 High Court Police Station
Chennai

2. Kannan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records relating to the final report under Sections 294(b), 323, 353, 506(1) IPC on the file of the 7th Metropolitan Magistrate, George Town, Chennai, in C.C.No.1544 of 2025 and quash the same.

In Crl.O.P.No.23148 of 2025

R.Kannan

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police
B-4 High Court Police Station
Chennai

2. K.Mahendran

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records relating to the final report under Sections 294(b),



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506(i) IPC on the file of the 7th Metropolitan Magistrate, George Town, Chennai, in C.C.No.797 of 2025 and quash the same.

For Petitioner in Crl.OP.No.27852/2025 &

R2 in Crl.O.P.No.23148/2025

: Ms.S.Jayapriya

For R1 in both Crl.OPs.

: Mr.R.Vinothraja

Govt. Advocate (Crl. Side)

For R2 in Crl.OP.No.27852/2025 &

Petitioner in Crl.O.P.No.23148/2025 : Mr.M.Mohamed Nazar

ORDER

These Criminal Original Petitions have been filed to quash the final reports in C.C.No.1544 of 2025, for the offences under Sections 294(b), 323, 353, 506(i) IPC and C.C.No.797 of 2025 for the offences under Sections 294(b) and 506(i) IPC, on the file of the 7th Metropolitan Magistrate, George Town, Chennai.

2. The learned counsel for the petitioners in both the petitions submitted that this is a case and counter case, arising out of a dispute between an Advocate/petitioner in Crl.O.P.No.27852 of 2025 and a Court Bench Clerk/petitioner in Crl.O.P.No.23148 of 2025, while the Advocate enquired about a case status with the Bench Clerk in the Court hall. They further submitted that now the parties have amicably settled the dispute between themselves and they are not willing to proceed with the criminal cases against each other and a Common Memo of Compromise has also



been filed to that effect. Hence, the learned counsel on either side prayed to quash the final reports filed against the petitioners in both the cases on the ground of compromise.

3. The petitioner in Crl.OP.No.27852 of 2025/defacto complainant in Crl.O.P.No.23148 of 2025 and the petitioner in Crl.O.P.No.23148 of 2025/defacto complainant in Crl.OP.No.27852 of 2025, appeared in person before this Court at the time of hearing and they were identified by their respective counsel and also by Mr.Sugumar, Sub Inspector of Police, B4 High Court Police Station, Chennai – 104.

4. This Court enquired the both the parties and they stated that they have amicably settled the dispute between themselves and not willing to proceed with the criminal cases against each other and have no objections to quash the same.

5. The learned Government Advocate (Crl. Side) appearing on behalf of the respondent police submitted that though the parties entered into a compromise while these cases are 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.

6. 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.

7. 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.

8. In view of the above, this Court is inclined to quash the Final Reports filed against the petitioners in both the cases, in exercise of its



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jurisdiction under Section 482 of Cr.P.C./528 BNS.

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9. Accordingly, both the Criminal Original Petitions allowed and final reports in C.C.No.1544 of 2025 filed against the petitioner in Crl.O.P.No.27852 of 2025 and the final report in C.C.No.797 of 2025 filed against the petitioner in Crl.O.P.No.23148 of 2025, pending on the file of the 7th Metropolitan Magistrate, George Town, Chennai, are quashed. 10. Consequently, the connected Miscellaneous Petitions are closed. The Common Compromise Memo dated 10.10.2025, filed by the parties to compromise the offence, shall form part of the record.

10.10.2025

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The 7th Metropolitan Magistrate,
George Town, Chennai
2. The Inspector of Police
B-4 High Court Police Station
Chennai
3. The Public Prosecutor
High Court of Madras, Chennai



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N. SATHISH KUMAR, J.

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