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CrI.O.P.No.27651 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.27651 of 2025

A.Raahul

... Petitioner

Vs.

1.The State
Rep. by the Inspector of Police
Traffic Investigation Wing (TIW)
Pondy Bazar, T.Nagar
Chennai – 600 017

2. Sulochana
3. Murugan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records and quash the proceedings in C.C.No.1676 of 2022 on the file of learned Metropolitan Magistrate-IV, Saidapet, Chennai District.

For Petitioner : Mr.V.R.Kamalanathan
for M.Vijayamehanath

For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor for R1
: Mr.B.Logendran for R2 and R3



ORDER

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This Criminal Original Petition has been filed to quash the proceedings against the petitioner in C.C.No.1676 of 2022 on the file of learned Metropolitan Magistrate-IV, Saidapet, Chennai, for the offences under Sections 279, 337 IPC and 181(3) of Motor Vehicle Act, 1988 on the ground of compromise.

2. The learned counsel for the petitioner and the learned counsel for the defacto complainant and victim/respondents 2 and 3 submitted that it is a case wherein the 3rd respondent met with an accident and sustained simply injuries. Now the petitioner and private respondents have entered into compromise and settled the dispute amicably between themselves and that a Joint Memo of Compromise has also been filed to that effect.

3. The petitioner, the defacto complainant/2nd respondent and the victim/3rd respondent were present before this Court at the time of hearing and they were identified by their respective counsel as well as A.Paranjothi, WSSI, R4 Traffic Investigation Wing (TIW), T.Nagar, Chennai-600 017.

4. This Court also enquired the defacto complainant/2nd respondent and the victim/3rd respondent for which, they stated that they have amicably settled the dispute between themselves and not willing to proceed with the criminal proceedings and they have no objection for quashing the same.



5. The learned Government Advocate (Crl. Side) 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 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 petitioner. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*, 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



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individual/personal in nature. It involves dispute between the petitioner and the private respondents 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 proceedings against the petitioner in C.C.No.1676 of 2022 on the file of learned Metropolitan Magistrate-IV, Saidapet, Chennai, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNS.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings against the petitioner in C.C.No.1676 of 2022 on the file of learned Metropolitan Magistrate-IV, Saidapet, Chennai, is quashed. The consent affidavits filed by the private respondents dated 09.09.2025 and the Joint Compromise Memo filed by the parties for compromising the offences shall form part of the records.

13.10.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To

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- 1.The Metropolitan Magistrate-IV,
Saidapet, Chennai.
2. The Inspector of Police
Traffic Investigation Wing (TIW)
Pondy Bazar, T.Nagar
Chennai – 600 017
3. The Public Prosecutor
High Court of Madras, Chennai



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N. SATHISH KUMAR, J.

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