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CRL OP No. 2027 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 2027 of 2025

R.Prakash
S/o. Rajamani, Kalingar Nagar,
Periyapalayam, Tiruvallur District.

Petitioner(s)

vs.

1. State Rep.By,
The Inspector Of Police,
C-1, Uthukottai Police Station,
Tiruvallur District.

2.MARAGATHAM
W/o. Raja, No.9b, Kambar Street,
Ma.Po.Si.Nagar, Kakalur, Tiruvallur District.

Respondent(s)

PRAYER

Criminal Original Petition filed under section 482 of Cr.P.C., seeking to call for the records in CC.No.11 of 2020 pending on the file of the District Munsif cum Judicial Magistrate Court, Uthukottai, Tiruvallur District and to quash the same as far as the petitioner is concerned

For Petitioner(s): Mr. K.Balasubramaniam

For Respondent(s): Mr.K.M.D. Muhilan, APP For R1

Mr.D.Dayalan For R2



ORDER

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This Petition has been filed by the petitioner to call for the records in CC.No.11 of 2020 pending on the file of the District Munsif cum Judicial Magistrate Court, Uthukottai, Tiruvallur District and to quash the same as far as the petitioner is concerned.

2. The allegations against the accused in the Final Report is that the engagement of petitioner and the 2nd respondent took place on 04.02.2018 and it was agreed by 2nd respondent side that a Swift Car would be presented for marriage, subsequently, since the petitioner had demanded to present Innova Car during marriage as dowry, the marriage was cancelled. On 02.07.2020, when the petitioner married another women, a complaint was lodged by the 2nd respondent, pursuant to which, a case came to be registered in Cr.No.7 of 2020 and after investigation, final report was filed under section 420 of IPC, Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and the case was taken on file in C.C.No.11 of 2020 before the District Munsif cum Judicial Magistrate Court, Uthukkottai, Tiruvallur District.

3. The petitioner along with the second respondent has filed Memorandum of Understanding dated 05.02.2025, wherein, it has been stated that the petitioner



and the 2nd respondent have entered into a Memorandum of Understanding on 05.05.2025, as per which, the petitioner will pay a sum of Rs.6,75,000/- to the 2nd respondent as compensation and the 2nd respondent has also agreed to give consent to quash the criminal proceedings pending in C.C.No.11 of 2020 against the petitioner. As part payment, the petitioner has also paid Rs.3,50,000/- to the 2nd respondent on 05.02.2025 and the 2nd respondent agreed to receive the balance amount of Rs.3,25,000/- on the date of appearing before this Court. To that effect, the petitioner and the 2nd respondent have also filed their affidavits dated 05.02.2025 affirming the above said facts. The petitioner and the 2nd respondent are relatives and they have amicably settled the issues between themselves and hence they seek to quash the Final Report. CRL OP No. 2027 of 2025 4. Ms. S. Thamizh Selvi, Inspector of Police, All Women Police Station, Uthukottai, Thiruvallur District was present before this Court and she informed this Court that the defacto complainant and the petitioner had approached her and informed that since both the parties have amicably settled the disputes 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 both the parties have amicably settled the dispute between themselves and she is not willing to proceed with the the criminal proceedings and thus seeks to



quash the same.

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6. The learned Additional Public Prosecutor 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 noncompoundable offences pending against the petitioner. The Hon'ble Supreme Court in the case of Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath, 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 noncompoundable 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.



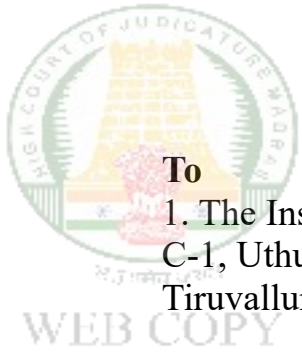
8. In the present case, the offence in question are purely individual/personal in nature. It involves dispute between the petitioners and the defacto complainant and quashing the proceedings, will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C.No. 147 of 2018 on the file of the Judicial Magistrate No.I, Krishnagiri in exercise of its jurisdiction under Section 482 of Cr.P.C.

9. Accordingly, this Criminal Original Petition is allowed and the case in C.C. No. 147 of 2018 on the file of the Judicial Magistrate No.I, Krishnagiri, is quashed. The Joint Compromise Memo filed by the petitioners and the second respondent for compromising the offences shall form part of the records. Consequently, connected miscellaneous petitions are closed.

10.09.2025

msr

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes



To

1. The Inspector Of Police,
C-1, Uthukottai Police Station,
Tiruvallur District.

2.MARAGATHAM W/o. Raja,
No.9b, Kambar Street,
Ma.Po.Si.Nagar,
Kakalur, Tiruvallur District.



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N.SATHISH KUMAR J.

msr

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CRL OP No. 2027 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 2027 of 2025
and CrI.M.P.No.1221 of 2025**

R.Prakash,
S/o. Rajamani, Kalingar Nagar,
Periyapalayam, Tiruvallur District.

Petitioner(s)

Vs

1.State Rep.By,
The Inspector Of Police,
C-1, Uthukottai Police Station,
Tiruvallur District.

2.Maragatham,
W/o. Raja,
No.9B, Kambar Street,
Ma.Po.Si.Nagar, Kakalur,
Tiruvallur District.

Respondent(s)

For Petitioner(s): Mr.K.Balasubramaniam

For Respondent(s): Mr.L.Baskaran
Government Advocate

ORDER

Today, the matter is listed under the caption “For Being Mentioned”, at
the instance of the learned counsel for the petitioner.



2.Learned counsel for the petitioner would submit that this Court allowed the present criminal original petition vide 10.09.2025, wherein, the criminal case number and the name of the Court have been inadvertently mentioned as “C.C.No.147 of 2018 on the file of the Judicial Magistrate No.I, Krishnagiri” instead of “C.C.No.11 of 2020 pending on the file of the District Munsif cum Judicial Magistrate Court, Uthukkottai, Tiruvallur District”. Hence, he prayed to make the necessary changes in the order dated 10.09.2025.

3.Considering the submission made by the learned counsel appearing for the petitioner, the Registry is directed to correct the Criminal Case number and name of the Court as C.C.No.11 of 2020 pending on the file of the District Munsif cum Judicial Magistrate Court, Uthukkottai, Tiruvallur District in Paragraph Nos. 8 and 9 of the order dated 10.09.2025 and issue order copy afresh.

17-12-2025

rst

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1.State Rep.By,
The Inspector Of Police,
C-1, Uthukottai Police Station,
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CRL OP No. 2027 of 2025



N.SATHISH KUMAR J.

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CRL OP No. 2027 of 2025
and CrI.M.P.No.1221 of 2025

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