



Crl.O.P.Nos.28242 and 24417 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.Nos.28242 and 24417 of 2025

and

Crl.M.P.Nos.19104, 19105 and 16694 of 2025

In Crl.O.P.No.28242 of 2025

1. M.L.Pichandi
2. Sathish @ P.Sathishkumar

... Petitioners

Vs.

1. The State Rep. by Inspector of Police
R.K.Pet Police Station
R.K. Pet, Tiruvallur District
(Crime No.15 of 2024)

2. N.M.Thiyagarajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records pertaining to the complaint in C.C.No.99 of 2024, pending on the file of District Munsif cum Judicial Magistrate, Pallipattu, and quash the same as illegal and against law.

In Crl.O.P.No.24417 of 2025

1. N.M.Thiyagarajan
2. T.Karthikeyan
3. T.Palanivel

... Petitioners

Vs.



Crl.O.P.Nos.28242 and 24417 of 2025

1. The State of Tamil Nadu
Rep. by Inspector of Police
R.K.Pet Police Station
Tiruvallur District
(Crime No.14 of 2024)

2. M.L.Pichandi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records in C.C.No.22 of 2025 on the file of the District Munsif cum Judicial Magistrate Court, Pallipattu and quash the same.

For Petitioners in Crl.OP.28242/2025 &
R2 in Crl.OP.No.24417/2025 : Mr.K.S.Naveen Balaji
for Mr.P.Dinesh Kumar

For R1 in both Crl.OPs. : Mr.R.Vinothraja
Government Advocate (Crl. Side)

For R2 in Crl.OP.No.28242/2025 &
Petitioners in Crl.O.P.No.24417/2025 : Mr.N.S.Sivakumar

COMMON ORDER

These Criminal Original Petitions have been filed to quash the final reports filed in C.C.No.99 of 2024, for the offences under Sections 294(b) and 323 IPC, and C.C.No.22 of 2025, for the offences under Sections 341, 294(b), 323, 324 and 506(2) IPC, pending on the file of the District Munsif cum Judicial Magistrate, Pallipattu.

2. It is a case and counter case, arising out of a very same incident wherein, both the parties have abused in filthy language and attacked each other and also threatened with dire consequences.



3. The learned counsel for both sides submitted that, pending case, both the parties who are family members, have amicably settled the dispute between themselves and they are not willing to proceed with the criminal case against each other and that, a Joint Memo of Compromise has also been filed to that effect. Hence, both the learned counsel prayed to quash the proceedings pending against both the parties.

4. The parties in both petitions appeared before this Court at the time of hearing and they were identified by their respective counsel and also by Ms.V.Arul Mariya, WHC (27703), H6, R.K.Nagar Police Station.

5. This Court also enquired the parties in both petitions for which, they stated that they have amicably settled the dispute between themselves and not willing to proceed with the criminal proceedings against each other and that they have no objection in quashing the same.

6. The learned Government Advocate (Crl. Side) appearing on behalf of the respondent-Police submitted that though the parties entered into a compromise while the 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.

7. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-



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compoundable offences pending against the petitioners in both the cases.

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.

8. In the present cases, the offences 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 these cases and no useful purpose will be served in continuing with the criminal proceedings.

9. In view of the above, this Court is inclined to quash the proceedings against the petitioners in both cases in C.C.No.99 of 2024 and



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C.C.No.22 of 2025, on the file of District Munsif cum Judicial Magistrate, Pallipattu, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNS.

10. Accordingly, these Criminal Original Petition are allowed and the proceedings against the petitioners in both cases in C.C.No.99 of 2024 and C.C.No.22 of 2025, on the file of District Munsif cum Judicial Magistrate, Pallipattu, are quashed. Consequently, the connected Miscellaneous Petitions are closed.

11. The Joint Memo of Compromise filed by the parties dated 16.10.2025 for compromising the offences, shall form part of the records.

16.10.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To

- 1.The District Munsif cum Judicial Magistrate,
Pallipattu
- 2.The Inspector of Police
R.K.Pet Police Station
R.K. Pet, Tiruvallur District
3. The Public Prosecutor
High Court of Madras, Chennai



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N. SATHISH KUMAR, J.

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