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CRL OP No. 28249 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 28249 of 2025

1. SUGUMARAN

S/o.Manimaran, No.281, North Street,
Malaiyanur Post, Veppur Taluk,
Cuddalore District.

Petitioner(s)

Vs

1. The Inspector of Police,
Nolambur Police Station, Chennai.

2.Harikrishnan

S/o.Muralikrishnan, No.184,
Mancharam Nagar, Panneer Nagar
Main Raod, Mogappair West,
Chennai-600 039. Presently Residing at
No.701-C, Ward, Charthala, Opposite
Boys High School,
Kokkothamangalam, Alappuuzha,
Kerala-688524.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records in CC No.381/2025 on the file of Judicial Magistrate, Ambattur and quash the same.

For Petitioner(s): T.Gnana Banu

For Respondent(s): Mr.R.Vinodh Raja,
Government Advocate [Crl.Side] – R1

ORDER



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This Criminal Original Petition has been filed to quash the final report filed in C.C.No.381 of 2025 before the Judicial Magistrate, Ambattur for the offences under section 318 [4] of BNS read with Section 64[D] of Information Technology Act.

2. The case of the petitioner is that he introduced himself as Sub Inspector of Police, from Thiruverkadu Police Station to the defacto complainant and informed that he is going to take action against the defacto complainant for sending message to a girl and also demanded a sum of Rs.one lakh to drop the action against the defacto complainant and the defacto complainant also paid the said amount. When the petitioner again demanded money and threatened the defacto complainant, the present case has been registered against the petitioner. The final report has also been filed in this case and the case has been taken on file in C.C.No.381 of 2025.

3. The petitioner along with the second respondent had filed a Joint Compromise Memo wherein it has been stated that both parties had already settled the matter amicably and both the parties had given consent for quashing the First Information Report.

4. The petitioner is present before this Court and they had been identified



by his learned counsel and the defacto complainant is also present and she had been identified by Ms.I.Sathya, WHC, V7 Nolambur Police Station. This Court enquired the defacto complainant and he had stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the the criminal proceedings and seeks to quash the same.

5. The learned 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.

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 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 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 offence 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. In view of the above, this Court is inclined to quash the case in C.C.No.381 of 2025 on the file of the Judicial Magistrate, Ambattur in exercise of its jurisdiction under Section 482 of Cr.P.C..

8. Accordingly, this Criminal Original Petition is allowed and the case in C.C.No.381 of 2025 on the file of the Judicial Magistrate, Ambattur is quashed. The Joint Compromise Memo dated 06.10.2025 filed by the petitioner and the second respondent for compromising the offences shall form part of this Order.

17-10-2025

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



Neutral Citation: Yes/No

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To

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1. The Judicial Magistrate,
Ambattur.
2. The Inspector of Police,
Nolambur Police Station, Chennai.
3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

VRC

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