



WEB COPY

CRL OP No. 27814 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 27814 of 2025 & CrI.M.P.No.18892 of 2025

1. Charan Babu
S/o. Chandrasekar, Residing at
No.1/12A, B B palayam, Thallykothour
post, Denkanikottai Taluk, Krishnagiri
District - 635118.

Petitioner(s)

Vs

1. State Rep by Inspector of Police,
Tally Police Station, Krishnagiri
District.

2.Ragul
S/o. Sathish, Residing at No.1/130A, B
B Palayam, Thallykothanour Post,
Denkanikottai Taluk, Krishnagiri
District.-635118.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records quash the entire proceedings in Crime No. 67/2023 on the file of the respondent police or pass any other orders, such order deems fit to the facts and circumstances of this Case.



WEB COPY

CRL OP No. 27814 of 2025



For Petitioner(s): S. Suresh

For Respondent(s): K.M.D.Muhilan,
Additional Public Prosecutor – R1

R2 appeared in person

ORDER

This Criminal Original Petition has been filed to quash the First Information registered in Crime No.67 of 2023 on the file of the first respondent for the offences under sections 279 and 337 of IPC.

2. The case of the prosecution is that the petitioner had drove his two wheeler in a rash and negligent manner and dashed against a car bearing No.KA 03 NH 9501 due to which the defacto complainant as well as the petitioner got injured. Hence, the case has been registered against the petitioner.

3. The petitioner along with the second respondent had filed a Joint Compromise Memo wherein it has been stated that the issue has been



compromised between the petitioner and the second respondent and the second respondent has no interest to continue the prosecution against the petitioner and the second respondent ensured that there shall be no further legal proceedings from his side regarding this case. He further submitted that the second respondent has no objection in quashing the First Information Report registered against the petitioner.

4. The petitioner is present before this Court and he had been identified by his learned counsel and the defacto complainant is also present and he had been identified by Mr.E.Prabhakaran, Gr.I, Tally 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 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 petitioners. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujra*th, 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 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 First Information Report registered in Crime No.67 of 2023 on the file of the first respondent in exercise of its jurisdiction under Section 482 of Cr.P.C..

8. Accordingly, this Criminal Original Petition is allowed and the First Information Report, registered against the petitioners in Crime No.67 of 2023 on the file of the first respondent, is quashed. The Joint Compromise Memo, dated 16.10.2025 filed by the petitioners and the second respondent for compromising the offences shall form part of the Order.

16-10-2025

Index: Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

WEB COPY

To

1. The Inspector of Police,
Tally Police Station, Krishnagiri
District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 27814 of 2025



N.SATHISH KUMAR J.

VRC

CRL OP No. 27814 of 2025

16-10-2025