



Crl.OP.No.27996 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.27996 of 2025

Arun Kumar

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
CCD-1, Cyber Crime Police Station,
Chennai South, St. Thomas Mount,
Chennai.
[Crime No.21 of 2025]

2.L.Suganya

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records of the first respondent relating to Crime No.21 of 2025 under Section 77 and 79 of BNS; U/s.66 & 66E of IT Act and U/s.4 of TNPHW Act dated 23.07.2025 and quash the same based on Joint memo of compromise between the petitioner and the second respondent.

For Petitioner : Mr.S.Venkat Ravi

For Respondent-1 : Mr.R.Vinothraja, GA (Crl. Side)

For Respondent-2 : Mr.R.Krishnan



ORDER

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The present Criminal Original Petition has been filed by the petitioner to quash the FIR in Crime No.21 of 2025 under Sections 77 and 79 of BNS; U/s.66 & 66E of IT Act and U/s.4 of TNPHW Act dated 23.07.2025 based on the Joint memo of compromise arrived between the petitioner and the defacto complainant.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing on behalf of the first respondent as well as the learned counsel for the second respondent.

3. The brief facts of the case is as follows:

3.1. The petitioner and the defacto complainant are law graduates. Since the de-facto complainant refused the love proposal of the petitioner, the petitioner on vengeance, morphed the photos of the de-facto complainant and uploaded the same along with the contact details of the de-facto complainant and her family members by creating fake social media accounts. Due to which, the de-facto complainant and her family members has received numerous calls of obscene and abusive language. Thereafter,



the second respondent/de-facto complainant lodged a complaint against the petitioner which was registered in Cr.No.21 of 2025 under Sections 77 and 79 of BNS; U/s.66 & 66E of IT Act and U/s.4 of TNPHW Act dated 23.07.2025.

4. The learned counsel for the petitioner submitted that the petitioner and the de-facto complainant have amicably settled the issues between themselves and hence, seeks to quash the FIR in Cr.No.21 of 2025 as against the petitioner. The petitioner also filed a Joint Memo of Compromise executed between the petitioner and the second respondent.

5. Mr.R.Rameshkumar, Head Constable 26275, Cyber Crime Police Station, South Zone was present before this Court and he informed this Court that the defacto complainant and the petitioner had approached him and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.



6. The defacto complainant and the petitioner are present before this Court at the time of hearing. This Court enquired the defacto complainant and she stated that they had amicably settled the dispute between themselves by considering the future of both the petitioner and herself and hence, she is not willing to proceed with the the criminal proceedings to lead a peaceful life and continue their profession and seeks to quash the same.

7. The learned Government Advocate appearing on behalf of the first respondent submitted that though the parties entered into a compromise while the 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.

8. 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 Gujarat***, 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 528 of BNSS, 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.

9. 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 the criminal proceedings. In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.21 of 2025 pending on the file of the first respondent in exercise of its jurisdiction under Section 528 of BNSS.



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10. Accordingly, this Criminal Original Petition stands allowed by taking into consideration of the future of both the petitioner, as well as the second respondent, as they want to lead a peaceful life and continue their profession and the First Information Report registered in Crime No.21 of 2025 pending on the file of the first respondent, is quashed as against the petitioner. The Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

14.10.2025

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To

- 1.The Inspector of Police,
CCD-1, Cyber Crime Police Station,
Chennai South, St. Thomas Mount,
Chennai.
- 2.The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

DP

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