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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 29915 of 2025

1. P.Naveenchandar

2. Jayalekshmi V.K

Petitioner(s)

Vs

1.State Represented by

The inspector of Police, M-4, Redhills

Transport Investigation Wing,

Chennai. Crime No. 114/2025.

2.C.Roshan

Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/528 of BNSS to call for the records relating to the Crime no. 114/2025 on the file of the 1st respondent and to quash the same.

For Petitioner(s): Ms.P. Shagani

For Respondent(s): Mr.R.Vinothraja
Government Advocate for R1
Ms. G.Priyanka for R2

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to Crime No.114 of 2025, on the file of the first respondent and to quash the same.



2.The learned counsel for the petitioners submitted that she is not pressing this petition as against the second petitioner.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent.

4.Based on the complaint given by the de facto complainant/R2, a case in Crime No.114 of 2025, was registered for the offences under Sections 281 & 125 (a) of BNS.

5.The first petitioner has stated that he has settled the dispute with the de facto complainant amicably and hence, seeks to quash the First Information Report. They have also filed an affidavit and a Joint Memo of Compromise to that effect.

6.The first petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Mr.V.Rajasekaran, Sub Inspector, Redhills Transport Investigation Wing, Chennai.



7. On being enquired by this Court, the de facto complainant stated that he has amicably settled the dispute with the first petitioner and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

8. 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.

9. 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 first petitioner. 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 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 they get settled between the parties, cannot be quashed by this Court.

10. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the first petitioner and the second respondent 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.114 of 2025 pending on the file of the first respondent in exercise of its jurisdiction under Section 482 of Cr.P.C.



11. In view of the above, the First Information Report in Crime No.114 of 2025 pending on the file of the first respondent is quashed as against the first petitioner and this Criminal Original Petition is allowed on condition that the first petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of one (1) week from the date of receipt of a copy of this order. The affidavit and the Joint Memo of Compromise filed by the first petitioner and the second respondent for compromising the offences shall form part of this order.

04-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. State Represented by

The Inspector of Police, M-4, Redhills

Transport Investigation Wing,

Chennai Crime No. 114/2025.

2. The Public Prosecutor,

Madras High Court.



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A.D.JAGADISH CHANDIRA J.

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