



Crl.O.P.Nos.29780 & 23694 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.29780 & 23694 of 2025

and

Crl.MP.No.16183 of 2025

Crl.OP.No.29780 of 2025:

1. Devaraj
2. Chinraj
3. Sathish
4. Sasikumar

...Petitioners

Vs.

1. State represented by,
The Inspector of Police,
Sathyamangalam Police Station,
Erode District.
Crime No.170 of 2019.

2. Palanisamy

...Respondents

Crl.OP.No.23694 of 2025:

1. Palanisamy
2. Mayilal
3. Palaniyammal

...Petitioners

Vs.



Crl.O.P.Nos.29780 & 23694 of 2025

1. State represented by,
The Inspector of Police,
Sathyamangalam Police Station,
Erode District.
Crime No.171 of 2019.

2. Lakshmi

...Respondents

Common Prayer: Criminal Original Petitions filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to CC.Nos.22 & 21 of 2025 respectively, both on the file of the Judicial Magistrate, Sathyamangalam, Erode District and quash the same.

For Petitioners : Mr.V.Karthikeyan
(in Crl.OP.No.29780 of 2025)
: Mr.J.Pradeep
(in Crl.OP.No.23694 of 2025)

For Respondents : Mr.K.M.D.Muhilan, APP, for R1
(in both petitions)
: Mr.J.Pradeep, for R2
(in Crl.OP.No. 29780 of 2025)
: Mr.V.Karthikeyan, for R2
(in Crl.OP.No. 23694 of 2025)

COMMON ORDER

These criminal original petitions have been filed seeking to quash the proceedings in CC.Nos.22 & 21 of 2025 respectively, both pending on the file of the learned Judicial Magistrate, Sathyamangalam, Erode District, on the basis of the compromise arrived at between the respective parties.



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2. Heard the learned counsel on either side and perused the materials available on record.

3. Learned counsel appearing for the respective petitioners as well as the learned counsel for the respective 2nd respondent submitted that it is a case of case and counter case arising out of a pathway dispute and that the parties have now amicably settled the issue among themselves. Hence, they seek to quash the impugned proceedings.

4. The petitioners in both the petitions and the *de facto* complainant/R2 in Crl.OP.No.29780 of 2025 appeared before this Court and the *de facto* complainant/R2 in Crl.OP.No.23694 of 2025, who is aged about 70 years appeared through Video Conferencing mode and the parties were identified by the learned counsel on either side and also by Mr.A.Ammasai, SSI, Sathyamangalam Police Station, Erode District and Mr.Vairakumar, (Sub-Inspector of Police, Sathyamangalam Police Station, Erode District), who appeared through VC along with de facto complainant.

5. On being enquired by this Court, the parties stated that they have amicably settled the disputes and they are not willing to pursue the criminal proceedings and therefore, seek to quash the same.



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6. Learned Additional Public Prosecutor appearing on behalf of the

first respondent submitted that though the parties have entered into a compromise, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences 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-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, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C. (corresponding to Section 528 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 they get 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 respective



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petitioners and the respective 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.

9. In view of the above, this Court is inclined to quash the proceedings in CC.Nos.22 & 21 of 2025 respectively, both pending on the file of the learned Judicial Magistrate, Sathyamangalam, Erode District, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, these criminal original petitions stand disposed of and the proceedings in CC.Nos.22 & 21 of 2025 respectively, both pending on the file of the learned Judicial Magistrate, Sathyamangalam, Erode District, are quashed as against the respective petitioners, on condition that the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), Madras High Court Campus, Chennai – 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

19.11.2025

skt

Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA, J.

skt

To

1. The Judicial Magistrate,
Sathyamangalam, Erode District.
2. The Inspector of Police,
Sathyamangalam Police Station,
Erode District.
3. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus, Chennai – 600 104.
4. The Public Prosecutor,
High Court of Madras.

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and

Crl.MP.No.16183 of 2025

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