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CRL OP No. 28419 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. 28419 of 2025

1. AKILAN

S/o. Anandhan, Door No.1/70, Mettu
Street, Ganapathikuruchi, Pelandurai
Post, Tittagusi Taluk, Cuddalore
District-606105.

2. Anandhan

S/o. Arumugam, Door No.1/70, Mettu
Street, Ganapathikuruchi, Pelandurai
Post, Tittagusi Taluk, Cuddalore
District-606105.

3. Kasanthamani

W/o. Anandhan, Door No.1/70, Mettu
Street, Ganapathikuruchi, Pelandurai
Post, Tittagusi Taluk, Cuddalore
District-606105.

Petitioner(s)

Vs

1. The State rep by The Sub Inspector
of Police
Karuveppilankuruchi Police Station,
Cuddalore District. Crime
No.106/2025.



2.Anbumozhi
S/o.Anandhan, Door No.164, South
Street, Ganapathikuruchi, Pelandurai
Post, Tittagusi Taluk, Cuddalore
District-606105.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records in Crime No.106 of 2025 on the file of the 1st respondent/police and quash the same and pass such further or other orders as this Honble Court.

For Petitioner(s): Mr.A.Velmurugan

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

ORDER

This Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.106 of 2025 on the file of the first respondent for the offences under sections 296 [b], 318 [4] and 351 [2] of BNS.

2. The case of the prosecution is that the engagement of the first petitioner with the second respondent was fixed on 07.04.2025 and after the engagement, as the dispute arose between the families, the marriage was not performed



between the first petitioner and the second respondent on the date fixed for marriage. Hence, the second respondent had lodged a complaint, based on which a case came to be registered.

3. Pursuant to the registration of the case against the petitioners. they had filed an anticipatory bail petition in Crl.O.P.No.14672 of 2025 and in the said petition, the case has been referred to mediation for amicable settlement between the parties. Before Mediation, the petitioners and the second respondent have amicably settled the matter and entered into a Mediation Agreement on 18.09.2025. As per the agreement entered between the parties before the mediation, the petitioners and the second respondent undertook that they will never interfere and cause any sort of annoyance or trouble in any manner in future by each of them.

4. The petitioners are present before this Court and they had been identified by their learned counsel and the defacto complainant is also present and she had been identified by Mr.C.Venu, Special Sub Inspector,



Karuveppilankurichi Police Station, Vridhachalam Circle. This Court enquired the defacto complainant and she had stated that they had amicably settled the dispute between themselves and she 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 petitioners. 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 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 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.73 of 2024 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 in Crime No.106 of 2025 on the file of the first respondent is quashed. The Mediation Agreement, dated 18.09.2025 filed by the petitioners and the second respondent for compromising the offences before Mediation Centre shall form part of this Order.

17-10-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Sub Inspector of Police
Karuveppilankuruchi Police Station,
Cuddalore District. Crime
No.106/2025.

2. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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