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CRL OP No. 28549 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. 28549 of 2025 & CrI.M.P.No.19287 of 2025

1. Sudhir Ramchand Bulchandani
S/o.Ramchand Krishinchand, No.8/10,
Srinivas Apartments, Flat No.5 and 6,
Sankarapuram, 1st Street,
Choolaimedu, Chennai-600 094.

Petitioner(s)

Vs

1. The State Rep by, The Inspector of
Police,
W11, All Women Police Station, High
Court, Flower Bazar, Chennai-600 104.
Cr.No.6/2025.

2.Karthika
D/o.Murugesan, No.2A, Bajanai Koil
Street, Ramapuram, Chennai.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records in Cr.No.6/2025 on the file of Inspector of Police, W-11, All Women Police Station, High Court, Chennai and quash the same.



For Petitioner(s): Mr.Abudukumar Rajarathinam,
Senior Counsel
for Mr.S.Immanual

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

Mr.Jerry Adharsh For R2

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.6 of 2025 on the file of the first respondent for the offences under section 77 of BNS and Section 66 E of Information Technology Act, 2000 and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002.

2. The case of the prosecution is that the petitioner had taken photographs of lady police, Court staffs, Advocate juniors and women advocate in his phone in an abusive manner and shared the photos in the social media. Hence, a case has been given by the second respondent, based on which the present case came to be registered.



3. The petitioner along with the second respondent had filed a Joint Memo of Compromise wherein it has been stated that considering the petitioner tendered his apology to the second respondent and the same has been accepted by the second respondent by considering his old age and health issue and that they will not initiate any further proceedings both civil and criminal against each other on the subject matter of the dispute that they have settled and both the parties had given consent affidavit for quashing the First Information Report.

4. The petitioner is present before this Court and he has been identified by his learned counsel and the defacto complainant is also present and she had been identified by Ms.K.Deivamani, Women Sub Inspector, W.11 AWPS, High Court, Chennai. 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 criminal proceedings and seeks to quash the same.



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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 petitioner. 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 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 with the criminal proceedings. In view of the above and considering the age of the petitioner, this Court is inclined to quash the First Information Report registered in Crime No.6 of 2025 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.6 of 2025 on the file of the first respondent is quashed. The Joint Memo of Compromise filed by the petitioner



and the second respondent for compromising the offences shall form part of this

Order. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Inspector of Police,
W11, All Women Police Station, High
Court, Flower Bazar, Chennai-600 104.
Cr.No.6/2025.

2. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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