



Crl.O.P.No.29509 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM:

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

Crl.O.P.No. 29509 of 2025

Jayaprakash

... Petitioner

Vs.

1.State of Tamil Nadu,
Inspector of Police,
T-1 Ambattur Police Station,
Tiruvallur District
Crime No.: 600/2023

2.Janani @ Deepika

3.Manjesh

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records relating to PRC.No.106 of 2023, which is presently pending before the Judicial Magistrate, Ambattur and quash the same.



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For Petitioner : Ms. R.Madhubala

For Respondent 1: Mr. K.M.D.Muhilan
Additional Public Prosecutor

For Respondents : Mr. P.Gokul
2 & 3

ORDER

This criminal original petition has been filed to call for the records relating to PRC.No.106 of 2023 against the petitioner, on the file of the Judicial Magistrate, Ambattur and quash the same based on the compromise arrived at between the parties.

2. Ms. R.Madhubala, learned counsel for the petitioner would submit that the petitioner is A 2 in the impugned proceeding; other than being present at the place of occurrence and attempting to resolve the dispute between A 1 and the victim, the petitioner has not done anything; however, due to wrong information, the petitioner's name has been included in the case.



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3. She would further submit that the petitioner has not inflicted any injury on the victim and due to intervention of relatives and friends, the matter has been compromised between the petitioner and the de facto complainant and her husband, who is the victim.

4. Mr. P.Gokul, learned counsel, appearing for the de facto complainant and the victim would submit that the respondent police are aware that the petitioner has not caused any harm to the victim, however, the petitioner's name has been included in the case.

5. The petitioner as well as the *de facto* complainant have filed separate affidavits dated 31.10.2025, wherein, it has been stated that the petitioner and the second respondent, have amicably settled the issue between themselves and hence, seek to quash PRC.No.106 of 2023, on the file of the Judicial Magistrate, Ambattur.

6. Mr. G.Thukkan, Special Sub Inspector, T-4 Pudur Police Station, was present before this Court and he informed this Court that



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the *de facto* complainant along with the victim 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.

7. The *de facto* Complainant and the victim were also present before this Court at the time of hearing. This Court enquired the *de facto* complainant and the victim and they had stated that they had amicably settled the dispute between themselves and they are not willing to proceed with the criminal proceedings and seeks to quash the same.

8. The petitioner had also filed an undertaking that he will not proceed in any manner against the respondent police.

9. 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 offences, has to consider the issue as to whether



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an offences of this nature can be quashed on the ground of compromise between parties.

10. 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, 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.

11. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner



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and the *de facto* 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.

12. In view of the above, this Court is inclined to quash PRC.No.106 of 2023 on the file of the Judicial Magistrate, Ambattur, in exercise of its jurisdiction under Section 482 of Cr.P.C.

13. Accordingly, this criminal original petition is allowed and PRC.No.106 of 2023 on the file of the Judicial Magistrate, Ambattur, is quashed, as against the petitioner alone. The affidavits filed by the petitioner and the *de facto* complainant for compromising the offences shall form part of the records.

03.11.2025

Neutral Citation:Yes/No

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WEB COPY

To

- 1.The Judicial Magistrate,
Ambattur.
- 2.The Inspector of Police,
T-1 Ambattur Police Station,
Tiruvallur District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

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