



Crl.OP.No.28885 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

CORAM:

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

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Deepan

...Petitioner

Vs.

1. The State rep. by,
The Inspector of Police,
Thirupathur Taluk Police Station,
Thirupathur – 635 601.
(Crime No.612 of 2023)

2. Raghu.M

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records in Crime No.612 of 2023 pending on the file of the 1st respondent police and compromise quash the same as against the petitioner and all consequential proceedings thereto.



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For Petitioner : Mr.Prasanth Narayanan PM

For Respondents : Mr.R.Vinothraja, GA (Crl. Side), for R1
: Mr.V.Gopinath, for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.612 of 2023 pending on the file of the 1st respondent police, on the basis of the compromise arrived at between the petitioner and the de-facto complainant/2nd respondent.

2. Heard the learned counsel on either side.

3. Based on the complaint given by the de-facto complainant/the 2nd respondent, a case in Crime No.612 of 2023 was registered initially for the offence under Section 379 of IPC and subsequently altered to Sections 379,



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420, 467 and 468 of IPC and Section 52 r/w. Section 192(b) of Motor

WEB CO Vehicles Act.

4. The petitioner has stated that he has settled the dispute with the de-facto complainant amicably and hence, seeks to quash the First Information Report as against him. The petitioner and the de-facto complainant have also filed their affidavits and a Joint Memo of Compromise to that effect.

5. The petitioner and the de-facto complainant/the 2nd respondent appeared before this Court and were identified by their respective counsel as well as by Mr.Anandharaj, SSI, Thirupathur Taluk Police Station, Thirupathur.

6. On being enquired by this Court, the de-facto complainant stated



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that he has amicably settled the dispute with the petitioner and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

7. The learned Government Advocate (Crl. Side) appearing on behalf of the 1st 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.

8. 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 Gujarat*, reported in *2017 9 SCC 641* and in case of *The State of Madhya*



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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.

9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the 2nd 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



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inclined to quash the First Information Report registered in Crime No.612 of

2023 pending on the file of the 1st respondent in exercise of its jurisdiction

under Section 482 of Cr.P.C.

10. In view of the above, the First Information Report in Crime No.612 of 2023 pending on the file of the 1st respondent, is quashed as against the petitioner and this Criminal Original Petition stands disposed of on condition that the 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 two (2) weeks from the date of receipt of a copy of this order. The affidavits and the Joint Memo of Compromise filed by the petitioner and the 2nd respondent for compromising the offences shall form part of this order.

29.10.2025

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WEB COM

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

A.D.JAGADISH CHANDIRA, J.

skt

To:

1. The Inspector of Police,
Thirupathur Taluk Police Station,
Thirupathur – 635 601.

2. The Public Prosecutor,
Madras High Court.

3. The Tamil Nadu State Legal Services Authority,
High Court Campus, Chennai – 600 104.

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