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Crl.O.P.Nos.30089 & 8262 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM:

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

Crl.O.P.Nos.30089 & 8262 of 2025
and Crl.M.P.No.5424 of 2025

K. Kasi Viswanathan

... Petitioner in Crl.O.P.No.30089 of 2025

1. Saravanan Palani
2. Indra Priyadharshini
3. Yuvaraj.M
4. S.Raaghul

... Petitioners in Crl.O.P.No.8262 of 2025

Vs.

1. State represented by,
The Inspector of Police,
F3, Nungambakkam Police Station,
Crime Branch, Nungambakkam,
Chennai – 600 034.

(Crime No.164 of 2025)

2. Rajalakshmi Mani

... Respondents in both Crl.O.Ps.

Common Prayer: Criminal Original Petitions are filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.164 of 2025 pending on the file of the first respondent Police and quash the same.



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In Crl.O.P.No.30089 of 2025,

For Petitioner : Mr.J.Prakash
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)
For R2 : Ms.Amali Deepika

In Crl.O.P.No.8262 of 2025,

For Petitioner : Mr.R.John Sathyan, Senior Counsel
for Mr.Edward James
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)
For R2 : Ms.Amali Deepika

COMMON ORDER

The present Criminal Original Petitions have been filed seeking to quash the First Information Report in Crime No.164 of 2025, pending on the file of the first respondent police on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/second respondent.

2. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.164 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences punishable under Sections 336(4), 318(2), 316(5) and 49 of the BNS, 2023.



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3. Learned counsel appearing for the petitioner in Crl.O.P.No.30089 of 2025 as well as for the de facto complainant/second respondent submitted that the de facto complainant is the wife of the petitioner and that the matter arises out of a matrimonial dispute and the parties have now amicably settled the issue among themselves. Hence, they seek to quash the First Information Report in Crime No.164 of 2025. Affidavits and a Joint Compromise Memo to that effect have also been filed.

4. Learned Senior Counsel appearing on behalf of the petitioners in Crl.O.P.No.8262 of 2025 submitted that the petitioners are bank officials and that based on the operation letter and on the bona fide belief that the first accused, husband of the de facto complainant, was the authorized person, the petitioners have given the details and other than that, they have not committed any offence. He further submitted that since the first accused and the de facto complainant entered into compromise, no useful purpose would be served in keeping the case pending against the bank officials.

5. The parties appeared before this Court and they were identified by their respective counsel as well as by Mr.S.Kannan, PC64157, F3, Nungambakkam Police Station.



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6. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioners and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

7. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent police submitted that though the parties have 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 offences of this nature can be quashed on the ground of compromise between parties.

8. Heard both sides and perused the materials available on record.

9. 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



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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.

10. In the present case, the offences in question are purely individual/personal in nature and quashing the FIR 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 in Crime No.164 of 2025, pending on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

11. Accordingly, this Criminal Original Petition stands allowed and the First Information Report in Crime No.164 of 2025, pending on the file of the first respondent police, is quashed as against the petitioners.



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12. The affidavits and the Joint Memo of Compromise filed for compromising the offences shall form part of the records. Consequently, the connected miscellaneous petition is closed.

02.12.2025

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
F3, Nungambakkam Police Station,
Crime Branch, Nungambakkam,
Chennai – 600 034.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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