



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 29426 of 2025
and CrI.M.P.No.20044 of 2025**

1. L.Prabhu ..Petitioner

Vs

1. State rep by the Inspector of Police
Chengalpattu Town Police Station,
Chengalpattu

2.V.Vaideki ...Respondents

PRAYER: Criminal Original Petition filed under section 528 of BNSS praying to call for the records relating to CC.No.135 of 2025 on the file of the learned Additional Mahila Court, Chengalpattu and quash the same against the petitioner.

For Petitioner(s): Mr.R.Murali

For Respondent(s): Mr.R.Vinothraja,
Government Advocate
(Criminal Side)



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ORDER

This Criminal Original Petition has been filed to quash C.C. No.135 of 2025, pending on the file of the learned Additional Mahila Court, Chengalpattu, for the offences under sections 294(b), 323, 379 and 506(II) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The allegation against the accused in the Final Report is that in a wordy quarrel, the accused is said to have abused the de facto complainant and threatened her.

3. The petitioner and the 2nd respondent have filed affidavits and they have also filed a Joint Compromise Memo, wherein, it has been stated that the petitioner and the second respondent, on the advice of well-wishers, friends and family members, have amicably settled the issue between themselves and hence, seek to quash the Final Report.



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4. Mr.M.P.Arunkumar, Head Constable 313, D1 Town Police Station, Chengalpattu, was present before this Court and he informed this Court that the de facto complainant 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.

5. The de facto Complainant was also present before this Court at the time of hearing. This Court enquired the de facto 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.

6. The learned Government Advocate (Crl.Side) 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.

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7. 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* 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 they get settled between the parties, cannot be quashed by this Court.



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

9. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C.No.135 of 2025, pending on the file of the learned Additional Mahila Court, Chengalpattu, in exercise of its jurisdiction under Section 482 of Cr.P.C.

10. Accordingly, this Criminal Original Petition is allowed and the case in C.C. No.135 of 2025, pending on the file of the learned Additional Mahila Court, Chengalpattu, is quashed on condition that the petitioner shall pay a sum of Rs.5,000/- each (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 affidavit and the Joint Compromise Memo filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

Connected Crl.M.P.No.20044 of 2025 is closed.

30-10-2025

nvsri

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1.State rep by the Inspector of Police
Chengalpattu Town Police Station,
Chengalpattu

2.The learned Additional Mahila Court, Chengalpattu.

3.The Public Prosecutor, Madras High Court, Chennai-600 104.

4.The Secretary, Tamil Nadu State Legal Services Authority (TNSLSA), High
Court Campus, Chennai 600 104,



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A.D.JAGADISH CHANDIRA J.

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