



WEB COPY



CrI.O.P.No.30811 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2026

CORAM:

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

CrI.O.P.No.30811 of 2025

Baskar

...Petitioner

Vs.

1. State of Tamilnadu rep. by,
The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
Crime No.109 of 2025.

2. C.Selvaraj

...Respondents

For Petitioner : Mr.D.Senthur Kugan

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1

ORDER

Today, this matter was listed under the caption “for reporting compliance”.

2. It was reported that the order of this Court dated 12.11.2025, directing the petitioner to pay costs of Rs.5,000/- to the credit of Advocate Clerks Welfare Association, Chennai has been complied with and the Memo of Compliance to that effect has also been filed before this Court.



WEB COPY



Crl.O.P.No.30811 of 2025

A.D.JAGADISH CHANDIRA, J.

skt

3. The same is recorded and therefore, no further order is required.

The said Memo of Compliance shall form part of the records.

07.01.2026

skt

To:

1. The XVII Metropolitan Magistrate,
Chennai.
2. The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.
4. The Secretary,
Advocate Clerks Welfare Association, Chennai.

Crl.O.P.No.30811 of 2025
(1/2)



WEB COPY



CrI.O.P.No.30811 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.30811 of 2025 and
CrI.M.P.No.21075 of 2025

Baskar

... Petitioner

Vs.

1.State of Tamilnadu rep. by
Inspector of Police
R-8, Vadapalani Police Station
Chennai
(Crime No.109 of 2025)

2. C.Selvaraj

... Respondents

PRAYER: Criminal Original Petitions filed under Section 528 of B.N.S.S. to call for the records in Crime No.109 of 2025, on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.D.Senthur Kugan

For Respondents : Mr.K.M.D. Muhilan
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.109 of 2025 dated 03.05.2025, registered for the offences under Sections 296(b) and 118(1) of BNS, on the file of the first respondent Police, on the ground of compromise.



CrI.O.P.No.30811 of 2025

2. The case of the prosecution as per the de facto complainant/second respondent is that the petitioner, who drove his two wheeler in the opposite direction, had hit against the de facto complainant's auto rickshaw and when the same was questioned, the petitioner abused the de facto complainant in filthy language and also attacked him with a stone. Hence, based on the complaint lodged by the de facto complainant, the above FIR came to be registered.

3. The learned counsel for the petitioner would submit that now, the parties have amicably settled the dispute between themselves and they have also filed a Joint Memo of Compromise to that effect.

4. The petitioner and the de facto complainant/second respondent were present before this Court at the time of hearing and they were identified by the learned counsel for the petitioner and by Mr.M.Senthil Kumar, S.I., R-8, Vadapalani Police Station, Chennai.

5. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. At this juncture, the learned Additional Public Prosecutor appearing on behalf of the first respondent police submitted that the investigation in this case has already been completed; final report has also been filed and the same has been taken on file in C.C.No.1970 of 2025 on the file of the XVII Metropolitan Magistrate, Chennai.



Cr.L.O.P.No.30811 of 2025

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./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.

8. In the present cases, the offences in question are purely individual/personal 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.



Cr.O.P.No.30811 of 2025

9. In view of the above, this Court is inclined to quash the criminal proceedings against the petitioner in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.

10. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered against the petitioner in Crime No.109 of 2025 dated 03.05.2025, on the file of the first respondent Police, is quashed and consequently, the final report filed against the petitioner in C.C.No.1970 of 2025, on the file of the XVII Metropolitan Magistrate, Chennai, is also quashed, subject to condition that the petitioner shall pay costs of Rs.5,000/- (Rupees Five Thousand only), to the credit of Advocate Clerks Welfare Association, Chennai, on or before 09.12.2025.

11. Consequently, the connected Miscellaneous Petition is closed. The Joint Memo of Compromise dated 16.10.2025, signed by both the parties for compromising the offences, shall form part of the records.

12. Post the matter on 09.12.2025 “for reporting compliance.”

12.11.2025

ksa-2

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

Note: Issue order copy on 25.11.2025.



CrI.O.P.No.30811 of 2025

To

1.The XVII Metropolitan Magistrate,
Chennai.

2 Inspector of Police
R-8, Vadapalani Police Station
Chennai

3.The Public Prosecutor
High Court of Madras, Chennai



WEB COPY



Crl.O.P.No.30811 of 2025

A.D.JAGADISH CHANDIRA J.

ksa-2

Crl.O.P.No.30811 of 2025

(2/2)

12.11.2025