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CRL OP No. 31390 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 31390 of 2025

1. Pugazhendi
2. Gowthami
3. Mani @ Manivannan

Petitioner(s)

Vs

1. The State of Tamil Nadu rep by
The Superintendent of Police
PCR Cell, Puducherry.

2.The Inspector of Police
Bahour Police Station, Puducherry.
Crime No.21/2020.

3.Thavaselvi

Respondent(s)

PRAYER Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records in Spl.S.C.No.12 of 2025 pending on the file of the II Additional District Sessions Judge Court at Puducherry and quash the same.

For Petitioner(s): Mr.Swami Subramanian

For Respondent(s): Mr.M.V.Ramachandramurthy
Public Prosecutor (Puducherry)
Assisted by
Mr.R.Alexander,
Government Advocate
(Puducherry) for R1 and R2
Mr.M.P.Yuvaraj for R3



ORDER

This Criminal Original Petition has been filed to quash Spl.S.C.No.12 of 2025 on the file of the II Additional District Sessions Judge Court at Puducherry registered for the offences punishable under Sections 294 (b) and 323 r/w. 34 I.P.C., and Section 7 (1)(d) of PCR Act, 1955 @ 3(1)(r)(s) of the SC/ST (POA) Act, 1989, on the ground of compromise.

2. The learned counsel for the petitioners submitted that the parties have entered into a compromise between themselves. The de facto complainant / second respondent has no grievance as against the petitioners and to that effect, a Memo of Compromise dated 17.10.2025 has also been filed. The learned counsel for the petitioners further submitted that pending investigation, the de facto complainant/victim had received an amount of Rs.50,000/- as relief from the Government. The amount of Rs.50,000/- has been refunded by way of demand draft, dated 20.11.2025 drawn in favour of the Director, Adi-Dravidar Welfare & Scheduled Tribes Welfare, Secretariat. A memo has also been filed to that effect.

3. Mr.R.Alexander, learned Government Advocate (Puducherry) has received the demand draft bearing No.073835 drawn on Indian Bank, Kuruvinatham Branch, Pondicherry for Rs.50,000/- in favour of the Director Adi-Dravidar Welfare & Scheduled Tribes Welfare, Secretariat, Pondicherry and the same has also been handed over to the respondent Police today.



4. The Petitioners and the de facto complainant were present before this Court at the time of hearing and they were identified by their respective counsel and by Mr.S.M.Saran, Assistant Sub Inspector, PCR Cell, Puducherry.

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

6. 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 Gujrat*, 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./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.

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

8. Further, the Hon'ble Supreme Court in *K.Bharthi Devi v. State of Telengana* reported in (2024) 10 SCC 384, has held that the offences, which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions, where the wrong is basically to the victim, and the offender and the victim have settled all the disputes between them amicably, can be quashed by the High Court in exercise of its jurisdiction under Section 482 Cr.P.C.

9. In view of the above, this Court is inclined to quash the proceedings against the petitioners in Spl.S.C.No.12 of 2025 pending on the file of the II Additional District Sessions Judge Court at Puducherry, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.

10. Accordingly, this Criminal Original Petition is allowed and the proceedings in Spl.S.C.No.12 of 2025 pending on the file of the II Additional District Sessions Judge Court at Puducherry, is quashed, as against the Petitioners.



11. The Memo of Compromise dated 17.10.2025 filed by the parties for compromising the offences shall form part of the records. The respondent Police is directed to hand over the demand draft to the Director, Adi-Dravidar Welfare & Scheduled Tribes Welfare, Secretariat, Puducherry for appropriate action.

21-11-2025

vum

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Superintendent of Police
PCR Cell, Puducherry.

2. The Inspector of Police
Bahour Police Station, Puducherry.

3. The Public Prosecutor,
Madras High Court, Chennai.



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