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Crl.O.P.No.29670 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

CORAM:

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

Crl.O.P.No.29670 of 2025

1. Parveen Kumar Yelchuri @ Yeluchuri Praveen Kumar
Director & Authorised Signatory of,
Eesha Knits Private Limited,
Having registered office at:
Plot No.MIG187, 1st Floor, KPHB Colony,
Ranga Reddy, Kukatpally, Hyderabad,
Telengana – 500 072.
2. Kalpana Yelchuri @ Yelchuri Kalpana
Proprietor of Fashion Folks,
Having registered office at:
Plot No.MIG187, 1st Floor, KPHB Colony,
Ranga Reddy, Kukatpally, Huderabad,
Telengana – 500 072.

...Petitioners

Vs.

1. State Represented by,
The Inspector of Police,
Central Crime Branch Police Station,
Tiruppur City.
(Crime No.6 of 2025)
2. R.Mahesh
Proprietor of,
Idumban Apparels,
No.15, Ramraj Nagar,
80 Feet Road, Tiruppur – 641 603.

...Respondents



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Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in Crime No.6 of 2025, pending on the file of the 1st respondent herein, quash the same.

For Petitioners : Mr.M.P.Yuvaraj

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

ORDER

The present criminal original petition has been filed seeking to quash the First Information Report in Crime No.6 of 2025, pending against the petitioners, on the file of the first respondent-Police, on the basis of the compromise arrived at between the petitioners and the *de facto* complainant/ 2nd respondent.

2. Heard the learned counsel on either side and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, the aforesaid case in Crime No.6 of 2025 was registered on the file of the first respondent Police against the petitioners for the offences under Sections 409 & 420 of IPC.



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4. Learned counsel appearing for the petitioners as well as the learned counsel for the 2nd respondent submitted that the parties have now amicably settled the issue among themselves. Hence, they seek to quash the First Information Report as against the petitioners. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by the learned counsel on either side.

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

7. Learned Government Advocate (Crl. Side) appearing on behalf of the first respondent submitted that though the parties have entered into a compromise, 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. 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 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.

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



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10. In view of the above, this Court is inclined to quash the First Information Report in Crime No.6 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 disposed of and the First Information Report in Crime No.6 of 2025 pending on the file of the first respondent police is quashed as against the petitioners, on condition that the petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), Madras High Court Campus, Chennai – 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.

12. The affidavits and the Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

04.11.2025

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Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA, J.

skt

To

1. The Inspector of Police,
Central Crime Branch Police Station,
Tiruppur City.
2. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court, Chennai.
3. The Public Prosecutor,
High Court of Madras.

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