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CrI.O.P.No.30070 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM:

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

CrI.O.P.No.30070 of 2025

and

CrI.M.P.No.20504 of 2025

1. Anukumar
2. Geetha ...Petitioners

Vs.

1. The Inspector of Police,
Central Crime Branch – I,
Greater Chennai Corporation,
Vepery, Chennai – 600 007.
Crime No.164 of 2025
2. P.Senthilnathan ...Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to quash the First Information Report filed in Crime No.164 of 2025 on the file of the Inspector of Police, Beta VI, Central Crime Branch – I, Chennai.

For Petitioners : Mr.C.Umashankar

For Respondents : Mr.K.M.D.Muhilan, APP, for R1
: R2 – Appeared in person



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ORDER

The present criminal original petition has been filed seeking to quash the First Information Report in Crime No.164 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/ the 2nd respondent.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. The petitioners herein are spouses. 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 under Sections 409, 420 and 120B of IPC.

4. Learned counsel appearing for the petitioners 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. He further submitted that due to some health ailments, the 2nd petitioner is unable to appear before this Court in person. The affidavit by the 1st



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petitioner and the Joint Memo of Compromise by the petitioners and the 2nd respondent/de fact complainant to that effect have also been filed.

5. The 1st petitioner and the *de facto* complainant/R2 appeared before this Court and they were identified by the learned counsel for the petitioners as well as by Mr.B.Senthil Kumar, HC26521, CCB-EDF-III, Beta-6, Chennai.

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 Additional Public Prosecutor 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-



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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. 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.



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10. Accordingly, this criminal original petition stands disposed of 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, on condition that the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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.

11. The affidavit filed by the 1st petitioner and the Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records. Consequently, the connected miscellaneous petition is closed.

19.11.2025

skt

Neutral Citation : Yes/No

To:

1. The Inspector of Police,
Central Crime Branch – I,
Greater Chennai Corporation,
Vepery, Chennai – 600 007.
2. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
3. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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