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Crl.O.P.No.31820 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31820 of 2025

1. K.Ganesh Pandi
2. Mr.V.Sairam

... Petitioners

Vs.

1. The State of Tamil Nadu rep. by
Inspector of Police (Crime)
Thiruvanmiyur Police Station,
Thiruvanmiyur,
Chennai – 600 041.

2. Baskar

... Respondents

PRAYER: Criminal Original Petitions filed under Section 528 of B.N.S.S. to quash the FIR in Crime No.22 of 2024, on the file of the first respondent police.

For Petitioners : Mr.M.Selvin

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

ORDER



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This Criminal Original Petition has been filed to quash the First

Information Report in Crime No.22 of 2024, dated 24.01.2024, registered for the offences under Sections 406, 420 and 506(1) of IPC on the file of the first respondent Police on the ground of compromise.

2. The learned counsel for the petitioners and the de facto complainant would submit that now, the parties have amicably settled the dispute between themselves and they have also filed a Memorandum of Understanding to that effect.

3. The respondent police is not present before the Court at the time of hearing. Therefore, the learned counsel for the petitioners, Mr.M.Selvin (En.No.3089/2016) identified the defacto complainant.

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

5. The learned Additional Public Prosecutor appearing on behalf of



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the first respondent police submitted that though the parties entered into a

compromise while the investigation 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.

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 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./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



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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. 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.

8. In view of the above, this Court is inclined to quash the First Information Report registered against the petitioners in exercise of its

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jurisdiction under Section 482 of Cr.P.C./528 BNSS.

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9. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered against the petitioners in Crime No.22 of 2024, dated 24.01.2025, on the file of the first respondent Police, is quashed subject to condition that the petitioners as well the 2nd respondent/de facto complainant shall pay costs of Rs.10,000/- (Rupees Ten Thousand only) each, Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104 from the date of receipt of a copy of this order.

10. The Joint Memo of Compromise dated 13.10.2025, signed by both the parties for compromising the offences, shall form part of the records.

25.11.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To

1. Inspector of Police (Crime)
Thiruvanmiyur Police Station,
Thiruvanmiyur,
Chennai – 600 041.
2. The Public Prosecutor
High Court of Madras, Chennai



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A.D.JAGADISH CHANDIRA J.

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