



Crl.OP.No.29823 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM:

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

Crl.OP.No.29823 of 2025

- 1.Sanjai
2. Sanjeev
3. Jeevanantham
4. Lingeshwaran
5. Anand
6. Musthak Hussian

...Petitioner

Vs.

1. State of Tamil Nadu
Rep. By The Inspector of Police,
Karamadai Police Station,
Coimbatore District.

2. Vinoth Kumar

...Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023 to direct the respondents to quash the proceedings in C.C.No.295 of 2025 on the basis of the Joint Compromise Memo entered into between the parties.



CrI.OP.No.29823 of 2025

For Petitioner : Mr.S.Najimudeen

For Respondents : Mr.R.Vinothraja
Government Advocate (CrI. Side)

ORDER

This Criminal Original Petition has been filed to quash C.C. No.295 of 2025, pending on the file of the learned Judicial Magistrate, Mettupalayam, Coimbatore, for the offences under sections 147, 294(b), 323, 341, 506(2) and 326 of IPC, 1860.

2. The petitioners have filed an affidavit and they, along with the second respondent, have filed a Memorandum of Understanding, wherein, it has been stated that the petitioners and the second respondent, have amicably settled the issue between themselves and hence, seek to quash the Final Report.

3. Mr.A.Suresh, Sub Inspector of Police Karamadai Police Station, Ph.No.9498163190, was present before this Court and he informed this Court that the de facto complainant and the petitioners had approached him



and informed him that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.

4. The de facto complainant appeared through virtual mode. This Court enquired the de facto complainant and he stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the criminal proceedings and seeks to quash the same.

5. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case 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



CrI.OP.No.29823 of 2025

that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C, 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. In view of the above, this Court is inclined to quash the Final Report filed in the case in C.C. No.295 of 2025, pending on the file of the learned Judicial Magistrate, Mettupalayam, Coimbatore, in exercise of its jurisdiction under Section 482 of Cr.P.C.



CrI.OP.No.29823 of 2025

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9. Accordingly, this Criminal Original Petition is allowed and the case in C.C. No.295 of 2025, pending on the file of the learned Judicial Magistrate, Mettupalayam, Coimbatore, is quashed on condition that the petitioners shall pay a sum of Rs.5,000/- each (Rupees Five Thousand only) 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. The affidavit and the Memorandum of Understanding filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

17.11.2025

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Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No



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Crl.OP.No.29823 of 2025

A.D.JAGADISH CHANDIRA, J.

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To:

1. The Inspector of Police,
Karamadai Police Station,
Coimbatore District.
2. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.

Crl.OP.No.29823 of 2025

17.11.2025