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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl. O.P No. 30530 of 2025

1. V. Hoest Raj,

2. V. Venkatesan

3. V. Stella,

4. M. Priya @ Priyanka

Petitioner(s)

Vs

1.The State of Tamil Nadu rep by the
Assistant Commissioner of Police,
Ambattur, Thiruvallur District.
Crime No. 33/2025.

2. State by the Inspector of Police, All
Women Police Station, Ambattur Police
Station, Thiruvallur District. Crime No.
33/2025.

3.M. Vaishali

Respondent(s)



PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/528 of BNSS to call for the records relating to the F.I.R No. 33 of 2025 on the file of the 2nd respondent and to quash the same.

For Petitioner(s): Mr.S. Anburaja

For Respondent(s): Mr.R.Vinothraja
Government Advocate for R1 & R2
Mr. M. John Kennedy for R3

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to Crime No.33 of 2025, on the file of the 2nd respondent and to quash the same.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2.

3.Based on the complaint given by the de facto complainant/R3, a case in Crime No.33 of 2025, was registered for the offences under Sections 498A and 506(i) IPC r/w Section 3(1)(r), and 3(1)(s), r/w 3(2)(va), of the SC/ST (POA) Act, 1989.



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4.The petitioners have stated that they have settled the dispute with the de facto complainant amicably and hence, seek to quash the First Information Report. They have filed a Joint Memo of Compromise to that effect.

5.The petitioners and the de-facto complainant/R3 appeared before this Court and were identified by their respective counsel as well as by the Inspector of Police, AWPS, Ambattur Police Station, Thiruvallur District, Chennai.

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

7.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2 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.

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 first petitioner. The Hon'ble Supreme Court, in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat*, reported in *2017 9 SCC 641* and in case of *The State of Madhya Pradesh Vs. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, has given sufficient guidelines 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.



9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners and the 3rd 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 registered in Crime No.33 of 2025 pending on the file of the 2nd first respondent in exercise of its jurisdiction under Section 482 of Cr.P.C.

10. In view of the above, the First Information Report in Crime No.33 of 2025 pending on the file of the 2nd respondent is quashed as against the petitioners and this Criminal Original Petition is allowed 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 one (1) week from the date of receipt of a copy of this order. The Joint Memo of Compromise filed by the first petitioners and the 3rd respondent for compromising the offences shall form part of this order.



A.D.JAGADISH CHANDIRA, J.,

Lbm

11. With the aforesaid direction, the Criminal Original Petition is disposed of.

11-11-2025

Lbm

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To:

1. The Assistant Commissioner of Police,
Ambattur,
Thiruvallur District.
(Crime No. 33/2025)

2. The Inspector of Police,
All Women Police Station,
Ambattur Police Station,
Thiruvallur District.
(Crime No. 33/2025)

3. The Public Prosecutor,
Madras High Court.

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