



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 31995 of 2025

1. RAJKUMAR

S/o.Mariyappan

2. Mageshkumar Alias Maheshkumar

S/o.Mariyappan, Both are residing at

same address No.48, Thiruveedhi

Amman Kovil Street, Puzhal,

Tiruvallur, Chennai - 600 066.

Petitioner(s)

Vs

1. The State, represented by

Inspector of Police,

M-3, Puzhal Police Station,

Chennai District.

Crime No.2844 of 2020

2.Sudhakar

S/o.Devadoss, No.60, Senthil Nagar,

Minjur, Ponneri, Tiruvallur, Chennai

601 203.

Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023/Section 482 Cr.P.C. to call for the records relating to the Crime No.2844 of 2020, on the file of the 1st respondent and to quash the same.

For Petitioner(s): Mr.M.Udayavani

For Respondent(s): Mr.R. Vinothraja,
Govt. Advocate (Crl.Side)
for R1



ORDER

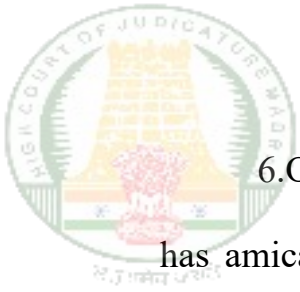
This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.2844 of 2020 pending on the file of the first respondent police.

2.Heard the learned counsel appearing for the petitioners and the learned Govt. Advocate (Crl.Side) appearing for the first respondent.

3.Based on the complaint given by the de facto complainant/R2, a case in Crime No.2844 of 2020 was registered for the offences under Sections 294(b), 323, 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 as against them. They have also filed an affidavit and a Joint Memo of Compromise to that effect.

5.The petitioners and the de-facto complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by the Sub-Inspector of Police,M3, Puzhal Police Station L & O.



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. The learned Govt. Advocate (Crl.Side) appearing on behalf of the first respondent police submitted that though the parties have 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 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, 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 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 registered in Crime No.2844 of 2020 pending on the file of the first respondent police in exercise of its jurisdiction under Section 482 of Cr.P.C.

10. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No.2844 of 2020 on the file of the 1st respondent police is quashed on condition that the petitioners shall pay a sum of Rs.10,000/- (Rupees Ten 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) week from the date of receipt of a copy of this order. The affidavit and the joint memo of compromise dated 04.11.2025 filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

27-11-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
sms



To

WEB COPY

1. The Inspector of Police,
M-3, Puzhal Police Station,
Chennai District. Crime No.2844 of
2020
2. Sudhakar
S/o.Devadoss, No.60, Senthil Nagar,
Minjur, Ponneri, Tiruvallur, Chennai
601 203.
3. The Public Prosecutor
High Court, Madras.



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A.D.JAGADISH CHANDIRA J.

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