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CRL OP No. 31569 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 31569 of 2025

1. Jagadeesan

2. Muthu

3. Vijaya

4. Sakthivel

5. Shanmugam

6. Sukithadelcy

Vs

1. The State Rep by,
The Inspector of Police
Tambaram Police Station, Tambaram.



2.V.Krishnamoorthy

Respondents

PRAYER: Criminal Original Petition filed under 528 of BNSS, to call for the records pertaining to FIR in Crime No.9 of 2024, on the file of the 1st Respondent Police and quash the same.

For Petitioners: Mr.P.Vasanth

For Respondent: Mr.R.Vinoth Raja
Govt.Advocate (crl.Side) For R1

Mr.A.E.Ravichandran For R2

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.09 of 2024, dated 06.02.2024, registered for the offences under Sections 419, 423, 464, 465, 467, 468, 471 and 120B of IPC on the file of the first respondent Police on the ground of compromise.

2. The learned counsel for the petitioners submitted that one



Krishnamurthy/ de facto complainant had made Jagadeesan /A-2 (2nd petitioner)

as his power of attorney. The petitioners are innocent purchasers and they have not indulged in any major offence of forgery. The petitioners have now compromised with the de facto complainant and executed the consent deeds bearing Document No.6746 of 2024 dated 23.12.2024 in favour of the 3rd petitioner, Document No.6745 of 2024 dated 23.12.2024 in favour of 5th petitioner and Document No.6747 of 2024 dated 23.12.2024 in favour of the Petitioners 4 and 6 on the file of the Sub-Registrar, Sunguvarchathiram and ratified the sale in favour of the petitioners respectively and thereby the petitioners may be absolved from the charges. He had also filed the list of particulars regarding the Joint compromise arrived at between them, which is extracted as below:

Sl.No	Name	Ranking in F.I.R in Crime No. 09 of 2024	Ranking in CrI.O.P.No.3 1569 of 2025	Allegation levelled in FIR
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1	V.Krishnamoorthy	A-1		Impersonator
2		A-2	1 st Petitioner	Builder-Power of Attorney Holder from Impersonator bearing Document No.3066 of 2018 on the file of the SRO Sungurvarchathiram
3	Roby	A-3	---	
4	Jayasankar	A-4	---	
5	Kannan	A-5	---	
6	Muthu	A-6	2 nd Petitioner	Witness in GPA bearing Document No.3066 of 2018, on the file of SRO, Sunguvarchathiram
7	Vijaya	A-7	3 rd Petitioner	Purchaser of One Plot vide sale deed bearing Document No.337 of 2021, on the file of SRO Sunguvarchathiram
8	Sakthivel	A-8	4 th Petitioner	Joint Purchaser of One Plot along with A-10 vide sale deed bearing Document No.1485 of 2021, on the file of SRO, Sunguvarchathiram
9	Shanmugam	A-9	5 th Petitioner	Purchaser of One Plot vide sale deed bearing Document No.228 of 2021, on the file of SRO, Sunguvarchathiram
10	Sukitha Deley	A-10	6 th Petitioner	Joint Purchaser of One Plot along with A-8 vide sale deed bearing Document No.1485 of 2021, on the file of Sunguvarchathiram



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3. The learned Government Advocate (Crl.side) submitted that there were 10 accused. Accused-1, Accused-3, Accused-4 and Accused-5 have not approached this Court and the investigation is still pending.

4. Learned counsel for the de facto complainant further submitted that the petitioners are innocent purchasers and they have entered into an agreement of compromise whereby de facto complainant has confirmed and ratified the sale by registering the Affidavit before the SRO, Sunguvarchathiram.

5. 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 Joint Memo of Compromise to that effect.

6. The petitioners and the de facto complainant/2nd respondent were



present before this Court at the time of hearing and they were identified by the learned counsel for the petitioners.

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

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./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.

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9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner 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. 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.

10. In view of the above, this Court is inclined to quash the First Information Report registered against the petitioners in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.



11. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered against the petitioners in Crime No.09 of 2024, dated 06.02.2024, on the file of the first respondent Police, is quashed subject to condition that the petitioners shall pay costs of Rs.30,000/- jointly to Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104 within a period of two weeks from the date of receipt of a copy of this order.

12. The Joint Memo of Compromise dated 11.09.2025, signed by both the parties for compromising the offences, shall form part of the records.

19-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Inspector of Police

Tambaram Police Station, Tambaram.



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2. The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai 600 104

3. The Additional Public Prosecutor
High Court of Madras



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A.D.JAGADISH CHANDIRA J.

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