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Crl.O.P.No.31787 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31787 of 2025

1. Surendhar
2. Manivannan
3. Vasantha
4. Kabildev

... Petitioners

Vs.

1. The State rep. by
The Sub-Inspector of Police
All Women Police Station
Namakkal, Namakkal District

2. XXXX

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records and quash the proceedings in Crime No.34 of 2025 pending on the file of the All Women Police Station, Namakkal, Namakkal District for the offences under Sections 87, 69, 88, 296(b), 351(2) of BNS and Section 66(E) of IT Act.

For Petitioners	: Mr.A.Sundaravadhanan
For R1	: Mr.K.M.D. Muhilan Additional Public Prosecutor
For R2	: Mr.M.Akash



ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.34 of 2025, registered against the petitioners for the offences under Sections 87, 69, 88, 296(b) and 351(2) of the BNS, 2023 and Section 66(E) of the IT Act, pending on the file of the first respondent police, on the ground of compromise.

2. The learned counsel for the petitioners would submit that the petitioners 2 and 3 are parents and the 4th petitioner is the friend of the 1st petitioner. The 1st petitioner and the de facto complainant are practising advocates and there was a consensual relationship between them. Later, due to misunderstanding between them, a false complaint was given against the petitioners. Subsequently, due to intervention of the well wishers and friends, the parties have now compromised the matter and a Joint Compromise Memo dated 14.11.2025 has also been filed to that effect.

3. The learned counsel for the de facto complainant/second respondent would submit that the de facto complainant is a practising Advocate and there was a relationship between the first petitioner and the de facto complainant. Later, due to misunderstanding and frustration, the de facto complainant has given a complaint against the petitioners. He would further submit that now, the matter has been compromised between the parties and the 1st petitioner and the de facto complainant have decided to



get married and thereby, the de facto complainant does not want to proceed with the complaint any further.

4. The petitioners and the de facto complainant/second respondent were present before this Court at the time of hearing and they were identified by their respective counsel and by Ms.S.Parimala, WHC 1235, AWPS Namakkal, Namakkal District.

5. This Court enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The de facto complainant has filed an affidavit stating that the complaint was given due to anxiety, frustration and loss of mind and thereby prayed to quash the proceedings against the petitioners.

6. The learned Additional Public Prosecutor, appearing on behalf of 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.

7. 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.

8. 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.

9. 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.

10. Accordingly, this Criminal Original Petition is allowed and the First Information Report registered against the petitioners in Crime No.34 of 2025, on the file of the first respondent police, is quashed.



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11. The affidavit filed by the de facto complainant/R2 dated 08.12.2025 and the Joint Compromise Memo dated 14.11.2025 signed by the parties, for compromising the offences, shall form part of the records.

08.12.2025

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Neutral Citation:Yes/No

To

1. The Sub-Inspector of Police
All Women Police Station
Namakkal, Namakkal District
- 2.The Public Prosecutor
High Court of Madras, Chennai



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A.D.JAGADISH CHANDIRA J.

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