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CrI.O.P.No.34107 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

CORAM:

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

CrI.O.P.No.34107 of 2025

Venkatesan @ K.A.Venkateswaran

... Petitioner

Vs.

1. The State of Tamil Nadu,
The Inspector of Police,
Varanjaram Police Station,
Kallakurichi District.
(Crime No.106 of 2025)

2. Pradeepa @ Pratheeba

... Respondents

PRAYER: Criminal Original Petitions are filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the entire records and quash the final report pending trial before the learned Additional District Judge, Kallakurichi District, in S.C.No.129 of 2025, filed by the first respondent.

For Petitioner : Mr.C.Balaji

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

For R2 : Mr.V.Socrates



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CrI.O.P.No.34107 of 2025

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings pending against the petitioner in S.C.No.129 of 2025, on the file of the learned Additional District Judge, Kallakurichi District, on the basis of the compromise arrived at between the petitioner and the *de facto* complainant/second respondent.

2. Heard both sides and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No. 106 of 2025 was registered on the file of the first respondent Police against the petitioner and others, for the offences under Sections 351(2) and 75(2) of the BNS and Section 4 of the TN Prohibition of Harassment of Women Act, 2002. After completion of investigation, the final report was filed and the case was taken on file by the learned Additional District Judge, Kallakurichi District, in S.T.C.No.129 of 2025, which is now sought to be quashed.



4. Learned counsel appearing for the petitioner as well as for the *de facto* complainant submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the proceedings pending against the petitioner. Affidavits and Joint Memo of Compromise to that effect have also been filed.

5. The petitioner and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel as well as by Mr.J.Sarathy, SI, G1 Police Station, Kallakurichi.

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

7. Learned Government Advocate (Criminal 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 offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.



Cr.L.O.P.No.34107 of 2025

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 petitioner. 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. (corresponding to Section 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.

9. In the present cases, 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. In view of the above, this Court is inclined to quash the proceedings pending against the petitioner in S.C.No.129 of 2025, on the file of the learned Additional District Judge,



Cr.O.P.No.34107 of 2025

Kallakurichi District, in exercise of its jurisdiction under Section 482

Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petitions stands disposed of and the proceedings in S.C.No.129 of 2025, pending on the file of the learned Additional District Judge, Kallakurichi District, is quashed as against the petitioner, on condition that the petitioner 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) weeks from the date of receipt of a copy of this order.

11. The affidavits and the Joint Memo of Compromise filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

15.12.2025

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Neutral Citation: Yes/No



CrI.O.P.No.34107 of 2025

1. The Additional District Judge, Kallakurichi.
2. The Inspector of Police,
Varanjaram Police Station,
Chennai.
3. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.34107 of 2025

A.D.JAGADISH CHANDIRA, J.

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CrI.O.P.No.34107 of 2025

15.12.2025