



CrI.O.P.No.32071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.32071 of 2025

Udhayasankar

... Petitioner

Vs.

1.State rep. by
Inspector of Police
Odiansalai Police Station
Puducherry
Crime No.203 of 2025

2. Jeyashree

... Respondents

PRAYER: Criminal Original Petitions filed under Section 528 of B.N.S.S. to call for the records in connection with Crime No.203 of 2025 on the file of the Inspector of Police, Odianslai Police Station, Puducherry.

For Petitioners : Mr.N.Rajan

For Respondents : Mr.M.V.Ramachandra Murthy
Public Prosecutor,
Puducherry

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.203 of 2025, dated 23.09.2025, registered for the offences under Sections 69 and 115(2) of BNS, 2023 on the file of the first respondent Police on the ground of compromise.



2. The case of the prosecution as per the de facto complainant is that due to misunderstanding between the de facto complainant and the accused, the de facto complainant has given an exaggerated complaint. It is further submitted that the relationship between them was consensual and they have also compromised the matter and the second respondent/de facto complainant has also filed an affidavit admitting that the complaint was given due to misunderstanding.

3. The learned counsel for the petitioner 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.

4. The petitioner 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 petitioner and by Mr.P.Anil Kumar, S/o. Padmanabhan, Odiansalai Police Station, Puducherry.

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

6. The learned 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



CrI.O.P.No.32071 of 2025

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.



Crl.O.P.No.32071 of 2025

WEB COPY

9. In view of the above, this Court is inclined to quash the First Information Report registered against the petitioner 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 petitioner in Crime No.203 of 2025, dated 23.09.2025, on the file of the first respondent Police is quashed.

11. The Joint Memo of Compromise dated 11.11.2025, signed by both the parties for compromising the offences, shall form part of the records.

25.11.2025

shl

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

1. Inspector of Police

Odiansalai Police Station

Puducherry

2.The Public Prosecutor

High Court of Madras, Chennai



WEB COPY



Crl.O.P.No.32071 of 2025

A.D.JAGADISH CHANDIRA J.

shl

Crl.O.P.No.32071 of 2025

25.11.2025