



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP(MD) No. 19831 of 2025

1. E.M.Manraj
S/o.Marimuthu,
J6, Karthigaipatti, Mallipost,
Srivilliputhur Taluk,
Virudhunagar District

2. M.Ramaiah Pandian
S/o.Muthaiah,
2/29 West Street,T.Managaseri, Malli,
Virudhunagar District

3. P.Chinna Muniyandi @ Muniyandi
S/o.Petchimuthu,
1, P andithanpatti Colony Street, Malli,
Virudhunagar District

Petitioner(s)

Vs

1. State through the Inspector of Police
Srivilliputhur Town Police Station,
Virudhunagar District Cr.No.23 of 2022

2.Reeta
W/o.Sivalingam,
Hostel Street, Raittanpatti,
Srivilliputhur, Virudhunagar District

Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS to call for the records relating to the CC.No.589 of 2023 on the file of the Honble Judicial Magistrate-II, Srivilliputtur and quash the same as the matter is amicably settled between parties.



For Petitioner(s): Mr.E.Mareeskumar

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor
for R1
Mr.N.K.Ponraj
for R2

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to the CC.No.589 of 2023 on the file of the Judicial Magistrate-II, Srivilliputtur and quash the same as the matter is amicably settled between parties.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.Based on the complaint given by the de facto complainant/R2, a case in Crime No.23 of 2022 was registered for the offences under Sections 354A, 506(1) and 509 IPC, Section 4 of TN Prohibition of Harassment of Women Act, 2002, Section 67 of Information Technology Act, 2000, 5(1)(a) of Immoral Traffic (Prevention) Act, 1956 and Section 6 of Indecent Representation of Women Act, 1986. After filing of final report, it was taken on file in C.C.No.589 of 2023 before the Judicial Magistrate No.II, Srivilliputtur.



4.The petitioners have stated that they have settled the dispute with the de facto complainant amicably and hence, seek to quash C.C.No.589 of 2023. 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 were identified by their respective counsel as well as by Mr.S.Murugesan, the Special Sub-Inspector of Police, Srivilliputtur Town Police Station, Virudhunagar District.

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

7. The learned Additional Public Prosecutor 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 offence, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties. Further, he submitted that there is yet another accused Innaciyammal, who is not present before this Court.



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 another accused Innaciyammal, who is the 4th accused 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 C.C.No.589 of 2023 pending on the file of the Judicial Magistrate No.II, Srivilliputhur, in exercise of its jurisdiction under Section 482 of Cr.P.C.



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10. In view of the above, C.C.No.589 of 2023 on the file of the Judicial Magistrate No.II, Srivilliputhur, is quashed as against the petitioners as well as the 4th accused Innaciymmal and this Criminal Original Petition is allowed on condition that the petitioners shall pay a consolidated sum of Rs.20,000/- (Rupees Twenty Thousand only) as costs to the Madurai Bench of Madras High Court Advocate Welfare Fund, Madurai, within a period of one (1) week from the date of receipt of a copy of this order. The affidavit and the Joint Memo of Compromise 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

1. State through the Inspector of Police
Srivilliputhur Town Police Station,
Virudhunagar District Cr.No.23 of 2022

2. Reeta

W/o. Sivalingam, Hostel Street,
Raittanpatti, Srivilliputhur,
Virudhunagar District.

3. The Public Prosecutor
High Court, Madras.



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A.D.JAGADISH CHANDIRA J.

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