



DATED : 18.11.2025

CORAM:

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

Crl.O.P.No. 31524 of 2025

Murugan ... Petitioner
Vs.

1.The State of Tamil Nadu
Represented by its Inspector of Police,
B-5, Walajabad Police Station,
Kancheepuram District.

2. Sivakumar ... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, to call for the records in FIR No.282 of 2025 on
the file of the 1st respondent and quash the same.

For Petitioner ... Mr.M.Ragul Kousik

For Respondent ... Mr.K.M.D.Muhilan



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No.1

Additional Public Prosecutor

For Respondent

...

Mr.V.Prakash

No.2

Senior Advocate

Asst. by Ms.K.Jayasudha

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.282 of 2025, pending on the file of the first respondent.

2.Heard the learned counsel appearing for the petitioner 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.282 of 2025 was registered for the offences under Sections 296(b), 115(2), 118(1), and 351(3) of the Bharatiya Nyaya Sanhita



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(BNS), 2023 and Section 3(1) of the Tamil Nadu Public Property (Prvnt.of
Damage & Loss) Act, 1992.

4.The petitioner has stated that he has settled the dispute with the de facto complainant amicably and hence, seek to quash the First Information Report as against him. They have also filed an affidavit and a Joint Memo of Compromise to that effect.

5.The petitioner and the de-facto complainant/R2 appeared before this Court and were identified by their respective counsel as well as by the Inspector of Police, B-5, Walajabad Police Station, Kancheepuram District.

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

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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 an offence of this nature can be quashed on the ground of compromise between parties.

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

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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 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. In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.282 of 2025 pending on the file of the first respondent in exercise of its jurisdiction under Section 482 of Cr.P.C.

10.In view of the above, the First Information Report in Crime



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No.282 of 2025 pending on the file of the first respondent, is quashed as

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against the petitioner and this Criminal Original Petition is allowed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

sms

To

1. Inspector of Police,
B-5, Walajabad Police Station,
Kancheepuram District.
(Cr.No.283 of 2025)

2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

sms

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