



Crl.O.P.No.31941 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM:

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

Crl.O.P.No. 31941 of 2025

&

Crl.M.P.Nos. 22089 & 22092 of 2025

1.Thilagavathi

2.Rajarani

... Petitioners

Vs.

1.The State of Tamil Nadu rep by
The Inspector of Police,
Kondapalayam Police Station,
Ranipet District.
(Crime No.128/2022)

2.Mani

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of

Bharatiya Nagarik Suraksha Sanhita, to call for records in CC.No.25 of



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2024 on the file of the Judicial Magistrate Court, Sholinghur and quash
the same.

For Petitioners : Mr. R.Thirumoorthy

For Respondent 1 : Mr. R.Vinothraja
Government Advocate
(Criminal Side)

For Respondent 2 : Ms. Bhuvaneswari Tamil
Nachiyar

ORDER

This criminal original petition has been filed to call for records
in CC.No.25 of 2024 on the file of the Judicial Magistrate Court,
Sholinghur and quash the same.

2. The FIR has been registered based on the complaint lodged



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by the de facto complainant with regard to a civil dispute.

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3. The petitioners have filed an affidavit and they, along with the second respondent, have filed a Joint Compromise Memo, wherein, it has been stated that the petitioners and the second respondent, have amicably settled the issue between themselves and hence, seek to quash CC.No.25 of 2024 on the file of the Judicial Magistrate Court, Sholinghur.

4. Mr. G.Marimuthu, Sub Inspector of Police, Kondapalayam, was present before this Court and he informed this Court that the *de facto* complainant and the petitioners had approached him and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.



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WEB COPY 5. The *de facto* complainant was also present before this Court at the time of hearing. This Court enquired the *de facto* complainant and he had stated that they had amicably settled the dispute between themselves and he is not willing to proceed with the criminal proceedings and seeks to quash the same.

6. The learned Government Advocate (Crl. 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 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



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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 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 petitioner



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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 CC.No.25 of 2024 on the file of the Judicial Magistrate Court, Sholinghur, in exercise of its jurisdiction under Section 482 of Cr.P.C.

10. Accordingly, this criminal original petition is disposed of and CC.No.25 of 2024 on the file of the Judicial Magistrate Court, Sholinghur, is quashed. The affidavit and the Joint Compromise Memo filed by the petitioners and the second respondent for compromising the offences shall form part of the records. Consequently, the connected miscellaneous petitions are closed.

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Neutral Citation: Yes/No

To

- 1.The Judicial Magistrate,
Sholinghur.
- 2.The Inspector of Police,
Kondapalayam Police Station,
Ranipet District.
- 3.The Public Prosecutor,
High Court of Madras.



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