



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P. No. 34209 of 2025

1. Samathul Haqq
S/o.Kiyas Deen, No.48, Ramasamy
Street, Mannady Post, Chennai.

Petitioner(s)

Vs

1. The State Rep. By
the Inspector of Police,
N-3 Muthiyalpet police station,
chennai. (Crime No.222/2025)

2.Vishnu
S/o.Baskar, No.13/06, New Street,
Mannady, Chennai - 600 001.

Respondent(s)

PRAYER

The Criminal Original Petition is filed under Section 528 of B.N.S.S. to call for the records pertaining to the F.I.R. in Crime No.222 of 2025 on the file of the 1st respondent police and quash the said F.I.R.

For Petitioner(s): Mr. S. Raj

For Respondent(s): Mr. S. Santhosh
Government Advocate (Crl.Side) for R1

Mr. B. Bharath for R2



ORDER

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This Criminal Original Petition has been filed to quash the First Information Report in Crime No.222 of 2025, dated 21.10.2025, registered for the offences under Sections 296(b), 115(2) and 118(1) of B.N.S., 2023 on the file of the first respondent Police on the ground of compromise.

2. The learned counsel for the petitioner submitted that the parties have now amicably settled the dispute between themselves and have also filed a Joint Memo of Compromise to that effect.

3. The learned counsel for the second respondent/de-facto complainant submitted that though there are four accused in this case, only the second accused has approached this Court and the de-facto complainant has no objection in the case being quashed as against all the accused.

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 respective counsel and by Mr. K. Kesavan, Sub-Inspector of Police, N3, Muthialpet Police Station.



5. This Court also enquired with the de-facto complainant, and he submitted that he has no objection in this case being quashed in toto as against all the remaining accused.

6. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent police submitted that though the parties have entered into a compromise while the investigation 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.

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.



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8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner 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 the impugned First Information Report registered against the petitioner and the remaining accused, 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 and the remaining accused in Crime No.222 of 2025, dated 21.10.2025, on the file of the first respondent Police, is quashed subject to condition that the petitioner shall pay costs of Rs.10,000/- (Rupees Ten Thousand only) to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai - 600 104, within a period of two weeks from the date of receipt of a copy of this order.



11. The Joint Memo of Compromise dated 13.11.2025, signed by both the parties for compromising the offences, shall form part of the records.

16-12-2025

Neutral Citation : Yes / No

Asi

To

1.The Inspector of Police,
N-3 Muthiyalpet police station,
chennai. (Crime No.222/2025)

2.Vishnu
S/o.Baskar, No.13/06, New Street,
Mannady, Chennai - 600 001.

3. The Public Prosecutor,
High Court of Madras, Chennai.



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A.D.JAGADISH CHANDIRA, J.

Asi

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