



Crl.O.P.No.32239 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32239 of 2025

Rajkumar

... Petitioner

Vs.

1.The State of Tamil Nadu rep. by
Inspector of Police
M-3, Puzhal Police Station
Chennai District
(Crime No.135 of 2024)

2. Mageshkumar

... Respondents

PRAYER: Criminal Original Petitions filed under Section 528 of B.N.S.S. to call for the records relating to the Crime No.135 of 2024, on the file of the first respondent police and to quash the same.

For Petitioner : Ms.Udayavani

For 1st Respondent: Mr.R.Vinothraja

Government Advocate (Crl. Side)

ORDER



Crl.O.P.No.32239 of 2025

This Criminal Original Petition has been filed to quash the First

Information Report in Crime No.135 of 2024, registered against the petitioner for the offences under Sections 448, 341, 294(b), 323, 324, 506(2) of IPC, pending on the file of the 1st respondent Police, on the ground of compromise.

2. The case of the prosecution as per the de facto complainant is that the petitioner abused him in a filthy language; attacked him with hands and knife and also threatened him with dire consequences. Hence, based on the complaint lodged by the de facto complainant, the above First Information Report came to be registered against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner and the de facto complainant are brothers. Now, the parties have amicably settled the dispute between themselves and a Joint Compromise Memo dated 18.11.2025 has also been filed 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.Sudhakar, S.I., M3, Puzhal

2/7



Crl.O.P.No.32239 of 2025

Police Station.

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

6. The learned Government Advocate (Crl. Side) 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 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 petitioner. 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

3/7



Crl.O.P.No.32239 of 2025

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 cases, 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 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.135 of 2024 dated 01.03.2024, on the file of the first respondent police, is quashed.

4/7



Crl.O.P.No.32239 of 2025

11. The Joint Compromise Memo dated 18.11.2025, signed by both

the parties for compromising the offences, shall form part of the records.

27.11.2025

ksa-2

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



Crl.O.P.No.32239 of 2025

To

1.The Inspector of Police
M-3, Puzhalhe Police Station
Chennai District

2.The Public Prosecutor
High Court of Madras, Chennai



WEB COPY



Crl.O.P.No.32239 of 2025

A.D.JAGADISH CHANDIRA J.

ksa-2

Crl.O.P.No.32239 of 2025

27.11.2025