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Cr.O.P.No.32496 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Cr.O.P.No.32496 of 2025

1. Selvaraj

2. Vaneeswari

3. Venkatachalam

... Petitioners

Vs.

1.The State rep. by

The Inspector of Police

Tiruchengodu Town Police Station

Namakkal District

(Crime No.388 of 2025)

2. Jayadharshini

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records of the impugned FIR lodged as against the petitioners herein in Crime No.388 of 2025, on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.W.Camyles Gandhi

For Respondents : Mr.R.Vinothraja
Government Advocate (CrI. Side) for R1
Ms.R.Karthikayini for R2

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.388 of 2025, on the file of the 1st respondent police, on the ground of compromise.



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2. Based on the complaint lodged by the de facto complainant/second respondent, the case in Crime No.388 of 2025 was registered against the petitioners for the offence under Sections 140(3) and 62 of the BNS, 2023.

3. The learned counsel for the petitioners would submit that the petitioners 1 and 2 are the parents and the 3rd petitioner is the relative of the de facto complainant. He would further submit that since the de facto complainant had married a person outside their community, there was some misunderstanding resulting in the de facto complainant giving a complaint against the petitioners. Now, the parties have compromised the matter and the de facto complainant does not want to proceed with the case any further and she has also filed an affidavit to that effect.

4. 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.

5. The petitioners and the de facto complainant/second respondent were present before this Court at the time of hearing and they were identified by their respective counsel and by Mr.D.Natarajan, H.C., Tiruchengodu Town P.S., Namakkal District.



6. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves and the de facto complainant has no objection in quashing the FIR against the petitioners.

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.

8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners 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



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in continuing with the criminal proceedings.

9. In view of the above, this Court is inclined to quash the criminal proceedings against the petitioners 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 petitioners in Crime No.388 of 2025, on the file of the first respondent Police, is quashed.

11. The affidavit filed by the de facto complainant/second respondent for compromising the offences, shall form part of the records.

27.11.2025

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Neutral Citation:Yes/No



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1.The Inspector of Police
Tiruchengodu Town Police Station
Namakkal District

2.The Public Prosecutor
High Court of Madras, Chennai



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