



CrI.OP.No.33913 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

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

CrI.OP.No.33913 of 2025

1. S.Muthu
2. M.Manikandan
3. M.Srinivasan ...Petitioners

Vs.

1. State rep by
The Inspector of Police,
Velachery Police Station,
Chennai.

2. R.Kannan ...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C./528 of BNSS, 2023 to call for the records pertaining to the FIR in Crime No.999 of 2021 on the file of the 1st respondent Police, and quash the same on the basis of the compromise arrived between the petitioner and the second respondent.

For Petitioners : Mr.K.Chandru
For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor for R1
Mr.Prabhulachandran for R2

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.999 of 2021, pending on the file of the first respondent-Police, on the basis of the compromise arrived at



between the petitioner and the *de facto* complainant/second respondent.

2. Heard both sides and perused the materials available on record.

3. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No.999 of 2021 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 341, 323, 448, 427 and 506(II) of the Indian Penal Code, 1860.

4. Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the First Information Report as against the petitioners. Affidavits and a Joint Memo of Compromise to that effect have also been filed.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel.

6. On being enquired by this Court, the *de facto* complainant



stated that he has amicably settled the dispute with the petitioners and he is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

7. Learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, 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. (corresponding to Section 528 BNSS), to quash non-compoundable offences. One very important test that



CrI.OP.No.33913 of 2025

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.

9. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners 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 in Crime No.999 of 2021 pending on the file of the first respondent police, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.

10. Accordingly, this Criminal Original Petition stands disposed of and the First Information Report in Crime No.999 of 2021 pending on the file of the first respondent Police is quashed as against the petitioners, on condition that the petitioners shall pay a sum of Rs.10,000/- jointly (Rupees



CrI.OP.No.33913 of 2025

Ten Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.

11. The affidavits and the Joint Memo of Compromise filed by the petitioners and the second respondent for compromising the offences shall form part of the records.

18.12.2025

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NCC : Yes/No



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Crl.OP.No.33913 of 2025

A.D.JAGADISH CHANDIRA, J.

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To:

1. The Inspector of Police,
Velachery Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court.
3. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.

Crl.OP.No.33913 of 2025

18.12.2025