



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 33192 of 2025
and Crl.M.P.No.23184 of 2025**

1. D.Jamunabai

2. D.Rohini

3. N.Arunagiri

Petitioners

Vs

1. The State Rep By The Inspector Of
Police(crime)
T4,Maduravoyal Police Station,
Maduravoyal, Chennai - 600 095.

2.P.Janakiraman

Respondents

PRAYER

Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for the records pertaining to Crime No.631 of 2025 dated 17.09.2025 pending on the file of the Inspector of Police, Maduravoyal Police Station, Chennai.

For Petitioner(s): Mr.G.Peranban

For Respondent(s): Mr.S.Santhosh
Government Advocate (Crl.Side)
for R1.
Mr.V.Sriram for R2.



ORDER

WEB COPY The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.631 of 2025, pending against the petitioners, on the file of the first respondent Police, on the basis of the compromise arrived at between the petitioners 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. 631 of 2025 was registered on the file of the first respondent Police against the petitioners, for the offences under Sections 318(4) and 316 IPC.

4. Learned counsel appearing for the petitioners as well as for the *de facto* complainant submitted that the parties had compromised the dispute and settled the issue among themselves. Hence, they seek to quash the First Information Report as against the petitioners. Affidavit by the *de facto* complainant and Joint Memo of Compromise by the petitioners and the *de facto* complainant 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 as well as by Ms.A.Sujatha, Sub Inspector, T4-Crime Police Station, Maduravoyal.

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 Government Advocate (Criminal 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 offences, has to consider the issue as to whether offences 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 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 cases, 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.631 of 2025 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.631 of 2025 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/- (Rupees 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.

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

04.12.2025

nvsri

Neutral Citation: Yes/No

To

1. The Inspector Of Police(crime)
T4,Maduravoyal Police Station, Maduravoyal, Chennai - 600 095.
2. The Member Secretary,
The Tamil Nadu State Legal Services Authority (TNSLSA),
High Court Campus, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA J.

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