



Crl.O.P.(MD)No.11278 and 11414 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 21.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)Nos.11278 and 11414 of 2025 and

Crl.MP(MD) Nos.8519 and 8641 of 2025

Crl.OP(MD)No.11278 of 2025:

1. Ambaresh
2. Mohamed Mufaisal @ Mohamed Mufaisal Samsudeen
3. Sahith Afridi @ Sahidh Afridi,
4. Beer Mohammed
5. Rajamani
6. Sajith Uchan @ Shajith Hussain ... Petitioners

Vs

- 1.The State of Tamil Nadu,
Rep by the Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(Crime No.92/2024)

- 2.Jeyakumar ...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to impugned charge sheet in C.C.No. 187 of 2025, on the file of Learned Judicial Magistrate, Aruppukottai,



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Virudhunagar District, in connection with the Crime No.92 of 2024 on the file of the 1st Respondent Police for the alleged offences U/s.147, 294(b), 323, 324, 506(2) of IPC and quash the same as illegal as against the petitioners/accused.

For Petitioner	: Mr.D.Balamurugapandi
For R1	: Mr.A.S.Abul Kalaam Azad, Government Advocate(Crl.side)
For R2	: Mr.B.Bharathi Sethu

Crl.OP(MD)No.11414 of 2025:

Jeyakumar

... Petitioner

Vs

1.The State of Tamilnadu,
Rep by the Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(Crime No.93/2024)

2.Ambaresh

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to pass an order to call for the records pertaining to impugned charge sheet in C.C.No.06/2025, on the file of Learned Judicial Magistrate, Aruppukottai, Viruthunagar District, in connection with the Crime No. 93 of 2024 on the file of the 1st Respondent Police for the alleged offences U/s. 294(b), 506(1) of IPC and section 4 of TN Prohibition of Harassment of Women Act 2002 and quash the same as illegal as



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against the petitioner/accused.

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For Petitioner	: Mr.B.Bharathi Sethu
For R1	: Mr.A.S.Abul Kalaam Azad, Government Advocate(Crl.side)
For R2	: Mr.D.Balamurugapandi

COMMON ORDER

The petitioners are accused in CC No.187 & 6 of 2025, on the file of the Judicial Magistrate Court, Aruppukottai, for the offence under Sections 147, 294(b), 323, 324, 506(ii) IPC and 294(b), 506(i) IPC respectively. They have moved these petitions to quash the above proceedings pending against them, on the ground that the issue has been amicably settled among themselves.

2. The case has been registered for the offence 147, 294(b), 323, 324, 506(ii) IPC and 294(b), 506(i) IPC of which, the offence under Sections 147, 294(b), 324 IPC are not compoundable. However, the Hon'ble Supreme Court, in ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** [2017 9 SCC 641] and in ***The State of Madhya Pradesh Vs. Dhruv Gurjar and Another*** [(2019) 2 MLJ Crl 10], has given sufficient guidelines that must be taken into consideration by the



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Court while exercising its jurisdiction under Section 482 of Cr.P.C, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine whether the crime in question is purely individual in nature or a crime against the society with overriding public interest. It has been repeatedly cautioned that offences against the society with overriding public interest even if it gets settled between the parties, cannot be quashed by this Court.

3. Here, the prosecution case in Crl.OP(MD) No.11278 of 2025 is that the petitioners have abused the defacto complainant, who is a delivery agent of Style Shadow Fax Courier and attacked him and also intimidated him. The case of the prosecution in Crl.OP(MD) No. 11414 of 2025 is that when the petitioner, being a delivery agent went to the defacto complainant's home for delivery of certain goods, he got the mobile number of the defacto complainant's wife and sent some unnecessary messages to her. Therefore, the defacto complainant has lodged a complaint as against the petitioner.

4. Since the conflict is between the private individuals and



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not affecting the Society at large, this Court entertained this petition, ordered notice and also directed the investigation officer to ascertain as to whether the compromise arrived between the parties is a voluntary one, without any threat or coercion.

5. The petitioners and the defacto complainant in both the Criminal Original Petitions are present before this Court today and submitted that on the intervention of the elders in their village, they have amicably resolved their issue. To that effect, they have also filed a joint compromise memos dated 01.07.2025 and 27.06.2025.

6. The investigation officer, after verification, has filed a report that the compromise arrived upon between the parties is genuine, without any threat or coercion.

7. This Court has verified the parties with their Aadhar Cards and also verified as to the present status. The parties have expressed their willingness to solve the issue.



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8. In the case on hand, the offences are purely individual / personal in nature and the conflict is between the private individuals and it is not affecting the Society at large. It involves the petitioners and the second respondent / defacto complainant. Quashing the case will not affect any overriding public interest. There is a case and counter case. The defacto complainants in both the Criminal Original Petitions submitted that they do not not want to prosecute the cases any further. Under such circumstances, no useful purpose will be served in keeping the case pending, even though some of the offences involved are not compoundable in nature. On the other hand, keeping the proceedings pending will only swell the mental agony of the parties.

9. In view of the above position and following the guidelines issued by the Hon'ble Supreme Court in the cases referred supra, this Court is inclined to quash the proceedings, though certain offences are non-compoundable, in order to avoid further conflict between the parties.

10. Accordingly, these Criminal Original Petitions are



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allowed and the proceedings in CC No.187 & 6 of 2025, on the file of the Judicial Magistrate Court, Aruppukottai are hereby quashed. The joint compromise memos, dated 01.07.2025 and 27.06.2025, signed by the respective parties, shall form part and parcel of this common order. Consequently, connected Miscellaneous petitions are closed.

21.07.2025

NCC : Yes/No
Index : Yes/No
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To

- 1.The Judicial Magistrate Court, Aruppukottai
- 2.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.



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B.PUGALENDHI,J

vrn

Common Order made in
Crl.OP(MD)Nos.11278 and 11414 of 2025 and
Crl.MP(MD)Nos.8519 and 8641 of 2025

21.07.2025