



Crl.O.P.(MD)Nos.12606 & 12677 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)Nos.12606 & 12677 of 2025

and

Crl.M.P(MD)Nos.9802 & 9878 of 2025

Crl.O.P(MD)No.12606 of 2025

Manojdurai

.. Petitioner/sole accused

versus

1.The State of Tamil Nadu,
Rep. its Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(crime No.463/2025)

2.Ananth @ Anandha Raj

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to FIR in Crime No.463 of 2025 dated 10.07.2025 on the file of the first respondent police insofar as the petitioner is concerned.

For Petitioner	: Mr.R.Mathava Selvam
For R1	: Mr.P.Kottaichamy Government Advocate (Crl. Side)
For R2	: Mr.L.Prabhakaran



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1.Ananth @ Anandha Raj
2.P.Mavukaran @ Mounkaran

.. Petitioners/A1 and A2

versus

1.The State of Tamil Nadu,
Rep. its Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(crime No.464/2025)

2.Manojdurai

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to FIR in Crime No.464 of 2025 dated 10.07.2025 on the file of the first respondent police insofar as the petitioners concerned.

For Petitioner	: Mr.L.Prabhakaran
For R1	: Mr.P.Kottaichamy Government Advocate (Crl. Side)
For R2	: Mr.R.Mathava Selvam



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COMMON ORDER

The petitioners are accused in Crime Nos.463 and 464 of 2025 respectively on the file of the first respondent. They have filed these applications to quash the proceedings pending against them, on the ground that the issue has been amicably settled among themselves.

2. Crime No.463 of 2025 has been registered for the offence u/s 296(b), 118(1), 351(3) of BNS 2023 r/w 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989 and Crime No.464 of 2025 has been registered for the offence 296(b), 118(1) and 351(3) of BNS of which, the offence u/s. 296(b), 118(1) of BNS 2023 and sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989 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 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



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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 is the petitioners are nutritionists and students of a college. They are also friends. However, due to certain misunderstandings, they quarreled with each other, resulting in the registration of a criminal case and a counter-case. On proper advice, the petitioners have now filed these applications, having realized that the pendency of these cases would adversely affect their careers. They have amicably resolved their dispute and filed the present applications seeking to quash the proceedings on the ground of compromise.

4. Since the conflict is between the private individuals and not affecting the Society at large, this Court entertained these petitions, 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 are present before this Court today and submitted that on the intervention of the elders, they have amicably resolved their issue. To that effect, they have also filed a joint compromise memo dated 21.06.2025.



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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.

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 respondent / defacto complainant. Quashing the case will not affect any overriding public interest. 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. The petitioners and the defacto complainant also appeared before this Court and stated that they were not interested in prosecuting the cases any further. On the other hand, keeping the proceedings pending will only swell the mental agony of the parties.



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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, this original petitions are allowed and the proceedings in Crime Nos.463 and 464 of 2025 on the file of the first respondent are hereby quashed. The joint compromise memo dated 21.07.2025 signed by the parties, shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

18.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

- 1.The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

skn

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