



Crl.O.P.(MD)No.13940 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13940 of 2025

1. Ajith Kumar S/o Ilayaraja
2. Ajithkumar S/o Kasi
3. Karthick Kumar

... Petitioners

Vs

- 1.The State of Tamilnadu,
Rep by the Inspector of Police,
Tirumangalam Town Police Station,
Madurai District.
Crime No.203/2024.

- 2.Arun Kumar @ Chinna Alagar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to C.C.No.351 of 2024, pending before the Judicial Magistrate, Tirumangalam, Madurai District and quash the same.

For Petitioner

For R1

For R2

: Mr.K.Palmurugan

: Mr.A.S.Abul Kalaam Azad,
Government Advocate(Crl.side)

: Mr.K.Yasar Arafath



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ORDER

The petitioners are accused in C.C.No.351 of 2024, pending before the Judicial Magistrate, Tirumangalam, Madurai District, for the offence under Sections 294(b), 323, 324, 506(ii) and 379 IPC. They have moved this petition to quash the above proceedings pending against them, on the ground that the issue has been amicably settled with the defacto complainant.

2. The case has been registered for the offence 294(b), 323, 324, 506(ii) and 379 IPC, of which, some of the offences 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



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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 is that on 23.05.2024, the defacto complainant was consuming alcohol and the petitioners have asked some drinking water and when the defacto complainant has refused to share water with them, the petitioner abused and attacked him. On the complaint of the second respondent /the defacto complainant, the above case has been registered as against the petitioners.

4. Since the conflict is between the private individuals and 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.



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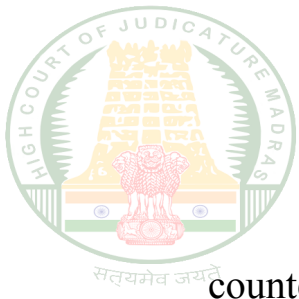
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5. The petitioners and the defacto complainant are present before this Court today and submit that on the intervention of the elders, they have settled the issue amicably, and the defacto complainant is not inclined to prosecute the case any further. To that effect, they have filed a joint compromise memo, dated 25.08.2025.

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.

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



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counter case. The defacto complainant submitted that he does not want to prosecute the case 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, this Criminal Original Petition is allowed and the proceedings in C.C.No.351 of 2024, pending on the file of the Judicial Magistrate Court, Tirumangalam, Madurai District is hereby quashed. The joint compromise memo 25.08.2025, signed by the parties, shall form part and parcel of this common order.



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11.Considering the nature of offence, the petitioners are directed to pay a sum of Rs.10,000/- to the respondent police for having made them to file the final report in this case on such trivial issue. The respondent police shall utilize the amount to be deposited by the petitioners for the welfare of the police station.

29.08.2025

NCC : Yes/No

Index : Yes/No

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To

The Inspector of Police,
Tirumangalam Town Police Station,
Madurai District.



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B.PUGALENDHI,J

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Order made in
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