



WEB COPY

CRL OP No. 9119 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

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

CRL OP No. 9119 of 2023

AND

CRL MP Nos. 5850 & 5851 OF 2023

K.Venkatesan

S/o Krishnan, C.46C, Rajaram Nagar, Salem -7

..Petitioner(s)

Vs

1. Inspector Of Police,
All Woman Police Station, Ammapet,
Salem District
(crime No.16/2019)
2. Uma,
D/o. K.Shanmugam, No.14/23,
Manikam Street,
Kumarasamypatty

..Respondent(s)

PRAYER:

This petition has been filed under Section 482 Cr.PC seeking to call for the records pertaining to the proceedings of the case pending trial in CC.976 of 2019 on the file of the Learned Additional Mahila Court, Salem and quash the Same.



For Petitioner(s):

M/s M.Loganathan

For Respondent(s):

Mr.K.M.D.Muhilan, Addl.Public Prosecutor for R1
M/s.A.Md.Khaleel- for R2

ORDER

The present Criminal Original Petition has been filed to call for the records pertaining to the proceedings of the case pending trial in CC.No.976 of 2019 on the file of the Additional Mahila Court, Salem and quash the same on the ground of compromise.

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.16 of 2019 was registered on the file of the first respondent Police against the accused, for the offences under Sections 498A and 406 of IPC. After completion of investigation, the final report was filed before the Learned Judge, Additional Mahila Court, Salem and the Court took cognizance of the same and numbered it as C.C.No. 976 of 2019.

4. Learned counsel appearing for both the petitioner and the *de facto* complainant submitted that the *de facto* complainant is the wife of the petitioner



and she filed a complaint against the petitioner under Section 498 A IPC. They further submitted that on the advice of elders, the parties have now amicably settled the issue among themselves. Hence, they seek to quash the aforesaid case as against the petitioner. Affidavits and a Settlement Agreement to that effect have also been filed.

5. The petitioner and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective learned counsel as well as by the Inspector of Police, All Women Police Station, Ammapet, Salem.

6. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioner and she 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 police submitted that though the parties have entered into a settlement agreement, while this case is pending on the file of the Learned Judge, Additional Mahila Court, Salem, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether the 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 petitioner. 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 case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner 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 proceedings pending against the petitioner in CC No.976 of 2019, pending on the file of the Additional Mahila Court, Salem.



10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in CC No.976 of 2019 on the file of the Additional Mahila Court, Salem, is quashed as against the petitioner. Consequently, connected miscellaneous petitions are closed.

11. The affidavits and the Settlement Agreement filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

16-02-2026

Neutral Citation: Yes/No

DN

To

1. Inspector Of Police
All Women Police Station,
Ammamet, Salem (crime No.16/2019)
2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA J.

DN

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