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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. 23066 of 2025

&

CrI.MP.No.15785 of 2025

K.Sathish Kumar

..Petitioner(s)

Vs

1. State Rep by

The Inspector of Police,
W-31, All Women Police Station,
St. Thomas Mount.
(Crime No.9 of 2022)

2. A.Anjali

..Respondent(s)

PRAYER:

This petition has been filed seeking to call for the records relating to Charge sheet in S.C.No.100 of 2024 pending on trial on the file of the Sessions Judge, Mahila Court, Chengalpattu and quash the same on compromise.

For Petitioner(s):

Mr.M.Jaikumar



For Respondent(s):

Mr.K.M.D.Muhilan, Addl.Public Prosecutor, for
R1

Mr.K.Rajesh, for R2

Order

The present Criminal Original Petition has been filed seeking to call for the records relating to charge sheet in S.C.No.100 of 2024 pending trial on the file of the Additional Sessions Judge, Mahila Court, Chengalpattu 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.9 of 2022 was registered on the file of the first respondent Police against the accused, for the offences under Sections 417, 376 and 406 of IPC. After completion of investigation, the final report was filed before the Additional Sessions Judge, Mahila Court, Chengalpattu and the Court took cognizance of the same and numbered it as S.C.No.100 of 2024.

4. Learned counsel appearing for both the petitioner and the *de facto* complainant submitted that the petitioner and the *de facto* complainant had love affair for more than 3 years but after she getting pregnant, she gave a complaint



against the petitioner alleging the main charge of rape. 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 Joint Memo of Compromise 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, W-31, All Women Police Station, St.Thomas Mount.

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 compromise while this case is pending on the file of the Additional Sessions Judge, Mahila Court, Chengalpattu, 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 in S.C.No.100 of 2024 pending against the petitioner on the file of the Additional Sessions Judge, Mahila Court, Chengalpattu.



10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C.No.100 of 2024 pending against the petitioner on the file of the Additional Sessions Judge, Mahila Court, Chengalpattu, is quashed as against the petitioner. Consequently, connected miscellaneous petition is closed.

11. The affidavits and the Joint Memo of Compromise 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. The Inspector of Police,
W-31, All Women Police Station,
St. Thomas Mount.

2. The Public Prosecutor, High Court of
Madras.



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A.D.JAGADISH CHANDIRA J.

DN

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