



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 25609 of 2025

Indra

W/o. Raghu, No.44/55, Ellaiaimman
Koil Street, Kottur, Kotturpuram,
Chennai- 600 085.

Petitioner(s)

Vs

1. The State represented by
The Inspector of Police,
Central Crime Branch, EDF-1,
Wing - 2, Vepery, Chennai-600 007.

2. S. Loganathan, S/o/Selvaraj,
No. 42, Bharathi Avenue, 2nd Street,
Kotturpuram, Chennai 600 085
(R2 Amended as per order dt 6/11/25
in Crl.MP.No. 20497 of 2025 in
Crl.O.P. no. 25609 of 2025)

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records relating to the C.C.No.15795 of 2022, on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB cases, relating to cheating cases in Chennai and CBCID Metro Cases, Egmore, Chennai-8 and quash the same in so far as the petitioner/A4 is concerned.



For Petitioner(s): Mr.C.P.Sivamohan

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor – R1

Mr.K.Sathyaraj – R2

ORDER

This Criminal Original Petition has been filed to quash the case in C.C.No.15795 of 2022, on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB cases, relating to cheating cases in Chennai and CBCID Metro Cases, Egmore, Chennai-8 for the offences under section 420 read with 34 of IPC in so far as the petitioner/A4 is concerned.

2. The petitioner is A4 in the aforesaid case. The case of the prosecution is that the petitioner along with other accused had entered into an agreement of sale in respect of a property belonging to the State Bank of India with the de facto complainant and received totally a sum of Rs.88,00,000/- towards sale consideration and thereafter cheated the defacto complainant. Hence, the aforesaid case was registered against the petitioner and other accused. On completion of investigation, the first respondent had filed the final report.

3. When the matter was taken up today, the learned counsel appearing for the de facto complainant submitted that the petitioner had paid a sum of Rs.16,00,000/- to the de facto complainant and hence, submitted that the



criminal proceedings pending in C.C.No.15795 of 2022 on the file of the Metropolitan Magistrate for Exclusive trial of CCB cases relating to cheating cases in Chennai and CBCID Metro cases, as against the petitioner may be quashed and he had also made an endorsement to that effect.

4. The petitioner and the second respondent were present before this Court at the time of hearing and they had been identified by their respective counsel.

5. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. The learned Additional Public Prosecutor appearing on behalf of the first respondent submitted that though the parties have arrived at a settlement while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

7. 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./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 it gets settled between the parties, cannot be quashed by this Court.

8. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the de facto complainant 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.

9. In view of the above, this Court is inclined to quash the proceedings in C.C.No.15795 of 2022 on the file of the Metropolitan Magistrate for Exclusive trial of CCB cases relating to cheating cases in Chennai and CBCID Metro cases as against the petitioner, in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.



10. Accordingly, this Criminal Original Petition stands allowed and the case in C.C.No.15795 of 2022 on the file of the Metropolitan Magistrate for

Exclusive trial of CCB cases relating to cheating cases in Chennai and CBCID

Metro cases as against the petitioner, is quashed.

19-01-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Inspector of Police,
Central Crime Branch, EDF-1, Wing – 2,
Vepery, Chennai-600 007.

2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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