



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

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

CRL OP No. 34689 of 2025

and

CRL MP No. 24303 of 2025

1. A.Ram Mohan,
S/o.M.Amirthalingam,
AV Villa, 922-H, First Street, Vanavil Nagar,
Thiruvannamalai - 606 604.
2. R.Karthikeyan,
S/o.A.Ram Mohan,
AV Villa, 922-H, First street,
Vanavil nagar,
Thiruvannamalai - 606 604.

..Petitioner(s)

Vs

1. The State Rep. by the Inspector of Police,
Central Crime Branch,
Tteam I, Vepery,
Chennai - 600 007.
2. G.Jeyakrishna,
S/o.k.Ganesan,
Yogiji's kudil, Plot-5,
Subramanian Colony,
Velachery,
Chennai - 600 042.

..Respondent(s)

PRAYER: Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records in C.C.No.9640 of 2017 on the file of the learned Metropolitan Magistrate exclusive Trial for CCB, Egmore, Chennai and to quash the same as against the petitioners/accused No.1 and 2.



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For Petitioner(s):

Mr.N.Shanmuga Thayumanavan

For Respondent(s):

Mr.K.M.D. Muhilan,
Additional Public Prosecutor
for R1Ms.N.Vinothini
for R2

Order

This Criminal Original Petition has been filed seeking to quash the proceedings against the petitioners C.C.No.9640 of 2017 on the file of the learned Metropolitan Magistrate exclusive Trial for CCB, Egmore, Chennai, for the offences punishable under Sections 406, 420 and 34 of IPC.

2.The learned counsel appearing for the petitioners would submit that a case of commercial dispute was given a criminal colour by the *de facto* complainant. Later, the parties have compromised the matter and they have also entered into a Memorandum of Understanding dated 09.11.2025 and the entire amount has also been settled.

3.The 1st petitioner is present in person and the 2nd petitioner appeared before this Court through Video Conferencing Mode. The *de facto* complainant is also present and they were identified by their respective counsel.



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

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5.The learned Additional Public Prosecutor appearing on behalf of the respondent-Police submitted that though the parties have entered into a compromise 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.

6.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 petitioners. The Hon'ble Supreme Court, in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*, 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 they get settled between the parties, cannot be quashed by this Court.



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7. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioners 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.

8. In view of the above, this Court is inclined to quash the proceedings against the petitioner in C.C.No.9640 of 2017 on the file of the learned Metropolitan Magistrate exclusive Trial for CCB, Egmore, Chennai.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in in C.C.No.9640 of 2017 on the file of the learned Metropolitan Magistrate exclusive Trial for CCB, Egmore, Chennai, is quashed, as against the petitioners on condition that the petitioners pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order.



10.The Memorandum of Understanding dated 09.11.2025 filed by the petitioners and the *de facto* complainant for compromising the offences shall form part of the records. Consequently, connected Miscellaneous Petition is closed.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MPS

To

1.The Metropolitan Magistrate exclusive Trial for CCB,
Egmore,
Chennai.

2.The Inspector of Police,
Central Crime Branch,
Tteam I,
Vepery,
Chennai - 600 007.

3.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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A.D.JAGADISH CHANDIRA J.

MPS

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