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Crl.O.P.No.35235 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 02.01.2026**

CORAM:

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

**Crl.O.P.No.35235 of 2025**

R.Manikandan

... Petitioner

Vs.

1. State Rep. by,  
The Inspector of Police,  
SRMC All Women Police Station,  
Avadi, Chennai.  
(Crime No.3 of 2024)

2. Kavitha

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records of the FIR in Crime No.3 of 2024, on the file of the Inspector of Police, AWPS SRMC, Avadi and to quash the same.

For Petitioner : Mr.L.Ambruse

For R1 : Mr.S.Santhosh  
Government Advocate (Criminal Side)

For R2 : Mr.A.Ajith Kumar

### **ORDER**

The present Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.3 of 2024, on the file of the first respondent police, on the basis of the compromise arrived at between the



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petitioner and the *de facto* complainant/second respondent.

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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.3 of 2024 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 417, 406, 420 and 506(I) of IPC .

4. Learned counsel appearing for the petitioner submitted that there was a consensual relationship between the petitioner and the *de facto* complainant/second respondent. Later on, due to misunderstanding, the *de facto* complainant/second respondent has given an exaggerated complaint against the petitioner on the instigation of her relatives. However, coming to know that no such thing had happened, the *de facto* complainant has agreed to withdraw the complaint and she has expressed her intention not to pursue the matter further.

5. Learned counsel appearing for the petitioner as well as for the *de facto* complainant submitted that the parties have now amicably settled



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the issue among themselves and arrived at a compromise. Hence, they seek to quash the proceedings pending against the petitioner. Affidavits and a Joint Compromise Memo to that effect have also been filed.

6. The petitioner and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel as well as by Ms.K.Gracy, WSSI, SRMC All Women Police Station, Avadi, Chennai.

7. 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.

8. Learned Government Advocate (Criminal Side) appearing on behalf of the first respondent submitted that though the parties 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.

9. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-



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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.

10. 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 First Information Report pending against the petitioner in Crime No.3 of 2024, on the file of the Inspector of Police, SRMC All Women Police Station, Avadi, Chennai, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



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11. Accordingly, this Criminal Original Petition stands disposed of and the First Information Report in Crime No.3 of 2024, on the file of the Inspector of Police, SRMC All Women Police Station, Avadi, Chennai, is quashed as against the petitioner, on condition that the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) 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.

12. 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.

**02.01.2026**

*srm*

Neutral Citation: Yes/No



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**A.D.JAGADISH CHANDIRA, J.**

*SRM*

To

1. The Inspector of Police,  
SRMC All Women Police Station,  
Avadi, Chennai.
2. The Member Secretary,  
The Tamil Nadu State Legal Services Authority (TNSLSA),  
High Court Campus, Chennai.
3. The Public Prosecutor, High Court of Madras.

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