



Crl.O.P.(MD)No.22057 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

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1.H.Jamaludeen

2.Mydeen Beevi

3.S.Fathima

4.Haja Mydeen

5.Mohammed Abdul Razeeth

... Petitioners/A1 to A5

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Puliangudi,
Tenkasi.
(Crime No.6 of 2025)

... 1st respondent /
Complainant

2.Parakath Nisha

... 2nd respondent / de-facto
Complainant

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the FIR in Crime No.6 of 2025 on the file of the 1st respondent police and quash the same as illegal.



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For Petitioners : Mr.A.Mohamed Riyaz
For R1 : Mr.Thanga Aravindh.B,
Government Advocate (Criminal Side)
For R2 : Mr.D.Yogeshwaran

ORDER

This Criminal Original Petition has been filed under Section 528 BNSS, seeking to quash the First Information Report in Crime No.6 of 2025 on the file of the 1st respondent police, insofar as the petitioners are concerned.

2. The second respondent/de-facto complainant had been living separately with her four-year-old son for about six months. On 23.03.2025, the first petitioner, who is the husband of the de-facto complainant, forcibly took their son while the child was playing outside the house and drove away in a car. When the de-facto complainant went to the petitioners' house, the petitioners assaulted her and demanded a sum of Rs.20,00,000/- as dowry. They further threatened her that they would return the child and agree to a divorce only if the said amount was paid.

3. Consequently, a complaint was lodged against the petitioners in Crime No.6 of 2025 before the first respondent police for the alleged offences under Sections 137(2), 296(b), 85, and 308(4) of the Bharatiya Nyaya Sanhita, read



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with Sections 4 and 6 of the Dowry Prohibition Act, 1961, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4. Admittedly, the petitioners and the 2nd respondent are related to each other and they have now resolved the dispute amicably. A Joint Compromise Memo dated 28.11.2025 has been filed before this Court.

5. The petitioners and the 2nd respondent/de-facto complainant are present before this Court in person and are identified by the Women Head Constable, All Women Police Station, Puliangudi, Tenkasi. The de-facto complainant has categorically stated that she does not wish to pursue the FIR against the petitioners. This Court is satisfied that the compromise is voluntary and not the result of any coercion or undue influence.

6. The law relating to quashment of criminal proceedings on the basis of compromise between the parties is well settled. In ***Gian Singh v. State of Punjab***¹, the Hon'ble Supreme Court authoritatively held that the inherent power of the High Court under Section 482 Cr.P.C is of wide amplitude and may be exercised to quash criminal proceedings even in respect of non-compoundable offences, provided the dispute is essentially private in nature

¹ 2012 10 SCC 303



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and the quashment would secure the ends of justice. The Court, however, drew a clear distinction between offences arising out of personal or matrimonial disputes, commercial transactions and similar private wrongs, and serious or heinous offences having grave impact on society, holding that the latter category cannot ordinarily be quashed merely on the basis of a settlement.

7. The said principles were succinctly crystallised in ***Parbatbhai Aahir v. State of Gujarat***², wherein the Supreme Court, after surveying the earlier precedents, laid down broad propositions governing the exercise of inherent jurisdiction on the basis of compromise. It was emphasised that the paramount consideration is whether the continuance of the criminal proceedings would be unfair or contrary to the interests of justice, and whether the dispute predominantly bears a civil or private character, rendering the possibility of conviction remote and bleak.

8. In ***State of Madhya Pradesh v. Laxmi Narayan***³, the Supreme Court reiterated and clarified the limitations on such power, holding that offences of a serious nature, particularly those involving mental depravity, grave violence, or offences against society at large, cannot be quashed on the basis of

² 2017 9 SCC 641

³ 2019 5 SCC 688



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compromise, even if the parties have amicably settled the dispute. The Court further cautioned that while examining compromise quash petitions, the High Court must consider the nature and gravity of the offence, the conduct of the accused, and the stage of the proceedings, and the overall impact on society and must satisfy itself that the settlement is voluntary and not the result of coercion or undue influence.

9 Applying the aforesaid principles to the facts of the present case, this Court has carefully examined the nature and gravity of the allegations, the relationship between the parties, the conduct of the petitioners, the stage of the proceedings, and the voluntary nature of the compromise.

10. The dispute in question is predominantly a family dispute and does not involve any offence having serious or grave impact on society at large. In view of the compromise arrived at between the parties, the possibility of conviction is rendered remote and bleak. Continuation of the criminal proceedings would therefore serve no useful purpose and would amount to an abuse of the process of Court.



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11. Accordingly, the impugned First Information Report in Crime No.6 of 2025 on the file of the 1st respondent police, is quashed, and the Criminal Original Petition stands allowed. The joint compromise memo dated 28.11.2025 shall form part and parcel of this order.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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L.VICTORIA GOWRI, J.

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To

1.The Inspector of Police,
All Women Police Station,
Puliangudi, Tenkasi.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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