



CRL OP(MD). No.21214 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12.12.2025

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.21214 of 2025

1.Vijayasudha @ Vijayasutha

2.Bhavani

... Petitioners

Vs.

1. State of Tamilnadu Rep by
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
(Crime No.175 of 2023)

2.Balaji Sastha

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the entire records pertaining to the proceedings in C.C.No.1192 of 2025 pending on the file of the learned Judicial Magistrate No.I, Ramanathapuram, and quash the same as far as the petitioners are concerned.

For Petitioners : Mr.R.L.Dhilipan Pandian

For Respondents : Mr.B.Thanga Aravindh

Government Advocate (Crl.Side) for R1

: Mr.K.Durai Pandian for R2



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ORDER

This petition is filed seeking to quash the impugned Charge Sheet in C.C.No.1192 of 2025 pending on the file of the learned Judicial Magistrate No.I, Ramanathapuram, which was filed for the offences under Section 381 of IPC.

2. The gist of the allegations in the final report is that the defacto complainant is running the supermarket as a partner at Coyembedu in Ramanathapuram. On 27.05.2023, the petitioners had stolen the groceries worth about Rs.1,49,735/- from the defacto complainant's supermarket and thus, committed the aforesaid offences.

3. Admittedly, the petitioners and the second respondent are known 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.



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4. The petitioners and the second respondent / defacto complainant are present before this Court in person and are identified by Mr.D.Karthickraja, HC-724, Bazaar Police Station, Ramanathapuram District. The defacto complainant has categorically stated that he 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.

5. 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 CrPC 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 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

¹ 2012 10 SCC 303



quashed merely on the basis of a settlement.

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6. 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.

7. 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 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

² (2017) 9 SCC 641

³ (2019) 5 SCC 688



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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.

8. 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 petitioner, the stage of the proceedings, and the voluntary nature of the compromise.

9. The dispute in question is predominantly private in character 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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10. Accordingly, the impugned charge sheet in C.C.No.1192 of 2025 pending on the file of the learned Judicial Magistrate No.I, Ramanathapuram, is hereby quashed in entirety and the Criminal Original Petition stands allowed. The joint compromise memo dated 28.11.2025 shall form part and parcel of this order.

12.12.2025

Index: Yes/ No
Internet: Yes / No
vsg



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TO

1. The learned Judicial Magistrate No.I, Ramanathapuram.
- 2.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J.,

vsg

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