



CRL OP(MD). No.22226 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 12.12.2025

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.22226 of 2025

and

CrI.M.P.(MD).Nos.19158 and 19159 of 2025

1.Chithra @ Chithra Vijayan

2.Shiyam Jayashree @ Shiyamala

3.Venkatraman @ Prabhu

... Petitioners

Vs.

1. State of Tamilnadu Rep by
The Inspector of Police,
S.S.Colony Police Station,
Madurai.
(Crime No.1248 of 2017)

2.Jim Jesudoss Viji Saamuvel

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the entire records in relating to the impugned charge sheet in J.C.No.6 of 2025 on the file of the learned Sessions Judge, Special Court for exclusive trial of POCSO Act Cases, Madurai, and to quash the same insofar as the petitioners is concerned.



CRL OP(MD), No.22226 of 2025

WEB COPY

For Petitioners : Mr.S.Vidhya Sagar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side) for R1

ORDER

This petition is filed seeking to quash the impugned Charge Sheet in J.C.No.6 of 2025 on the file of the learned Sessions Judge, Special Court for exclusive trial of POCSO Act Cases, Madurai, which was filed for the offences under Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The gist of the allegations in the charge sheet is that the victim girl is the daughter of A1's brother. After the demise of her parents, she was handed over to the petitioners in order to give a good and protected environment. From day one onwards, routine skirmishes cropped up between the victim child and the children of the petitioners. While being so, on 25.11.2017 at about 10.00 p.m., when the son of the A3 and A4 was eating biscuits, the victim girl and the petitioner's son concluded in fighting with each other. Due to which, they reprimanded the girl child



CRL OP(MD), No.22226 of 2025

and had beaten up her warning not to repeat the same again. Thereafter, the victim girl fled away from the house without any information to the first respondent Police. Hence, the defacto complainant lodged a complaint against the petitioners.

3. Admittedly, the petitioners and the second respondent are residing in the same locality and they have now resolved the dispute amicably. A Joint Compromise Memo dated 12.12.2024 has been filed before this Court.

4. The petitioners and the second respondent / defacto complainant are present before this Court in person and are identified by Mr.R.S.Elangovan, SSI, S.S.Colony Police Station, Madurai. The defacto 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.

5. The law relating to quashment of criminal proceedings on the basis of compromise between the parties is well settled. In **Gian**



CRL OP(MD), No.22226 of 2025

Singh v. State of Punjab¹, 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 quashed merely on the basis of a settlement.

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

¹ 2012 10 SCC 303

² (2017) 9 SCC 641



character, rendering the possibility of conviction remote and bleak.

WEB COPY

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 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.

3 (2019) 5 SCC 688



CRL OP(MD), No.22226 of 2025

WEB COPY

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.

10. Accordingly, the impugned charge sheet in J.C.No.6 of 2025 on the file of the learned Sessions Judge, Special Court for exclusive trial of POCSO Act Cases, Madurai, is hereby quashed in entirety and the Criminal Original Petition stands allowed. The petitioners shall jointly deposit a sum of Rs.5,000/- (Rupees Five Thousand only) for establishing an E-Library to the credit of the MBHAA, in Indian Bank, Madurai Bench of Madras High Court Branch, Account No.496038755 IFSC No.IDIB000H040, MICR Code:625019020, within a period of one week from today. The joint compromise memo dated 12.12.2024 shall form part and parcel of this order. Consequently, the connected criminal miscellaneous petitions are closed.



CRL OP(MD). No.22226 of 2025

WEB COPY

11. The petitioners are directed to file a memo along with the photocopy of the receipt before the Registry on or before **19.02.2026**.
List the matter on **20.02.2026**, for reporting compliance.

12.12.2025

Index: Yes/ No
Internet: Yes / No
vsg

TO

1. The learned Sessions Judge,
Special Court for exclusive trial of POCSO Act Cases,
Madurai.
2. The Inspector of Police,
S.S.Colony Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.22226 of 2025

L.VICTORIA GOWRI,J.,

vsg

CRL OP(MD) No.22226 of 2025

12.12.2025