



CRL OP(MD). No.22334 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP(MD)No.22334 of 2025

and

CRL MP(MD)No.19237 of 2025

M.Mugankumar

... Petitioner/Sole Accused

Vs.

1. The State of Tamilnadu
Rep by the Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
(Crime No.58/2021)

...1st Respondent/Complainant

2. M.Mohamed Bilal

...2nd Respondent/Defacto Complainant

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records pertaining to C.C.No.307/2022 on the file of the Learned Judicial Magistrate I, Ramanathapuram and quash the same in so far as the petitioner /Sole Accused is concerned.

For Petitioner : M/s.S.Mohamed Fazil

For Respondents : Mr.S.Ravi
Additional Public Prosecutor for R1
Mr.J.Vishnu for R2



CRL OP(MD). No.22334 of 2025

ORDER

WEB COPY This Criminal Original petition is filed seeking to quash the impugned Charge Sheet in C.C.No.307 of 2022 on the file of the learned Judicial Magistrate I, Ramanathapuram, which was filed for the offences under Sections 294(b), 324 and 506(1) of IPC against under Sections 296(b), 118(2) and 351(2) in BNS).

2. The gist of the allegations is that on 14.02.2021, the defacto complainant along with his friend had gone to Maithaanthoppu to provide food to his grandfather. At that time, elder brother of the accused passed by the place in a tractor. It is further alleged that the petitioner came to the spot and abused the defacto complainant in a filthy language and questioned him as to whether he was acting as an informer to the police. When the complainant objected the accused is stated to have taken a stone lying on the ground and struck the complainant on the left side of his head which caused a simple bleeding injury and thus, committed the aforesaid offences.

3. Admittedly, the petitioner and the second respondent are residing in the same locality and they have now resolved the dispute amicably. A Joint Compromise Memo dated 03.12.2025 has been filed before this Court.



CRL OP(MD). No.22334 of 2025

4. The petitioner and the defacto complainant are present before this Court in person and are identified by Mr.Kothalingam, SSI, Devipattinam Police Station, Ramanathapuram District. The defacto complainant has categorically stated that he does not wish to pursue the FIR against the petitioner. 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**, 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***, 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***, 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



CRL OP(MD). No.22334 of 2025

of the proceedings, and the voluntary nature of the compromise.

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 C.C.No.307 of 2022 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 03.12.2025 shall form part and parcel of this order. Consequently, connected miscellaneous petition is also closed.

17.12.2025
1/2

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



WEB COPY



CRL OP(MD). No.22334 of 2025

L.VICTORIA GOWRI, J.,

RJR

To

1. The learned Judicial Magistrate I,
Ramanathapuram
2. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL OP(MD)No.22334 of 2025

17.12.2025

1/2