



Crl.O.P.(MD)No.22326 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

Crl.O.P.(MD)No.22326 of 2025

1.Kasiyammal

2.Rekha

3.Poonkodi

... Petitioners/A2 to A4

Vs.

1.The State of Tamil Nadu rep. by,
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.75 of 2023)

... 1st respondent /
Complainant

2.Panjavarnam

... 2nd respondent / de-facto
Complainant

3.Dhanam

4.Selvi

5.Kasilingam

... 3rd to 5th respondents /
victims

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the Charge Sheet in C.C.No.166 of 2023 on the file of the Additional Mahila Court, Sivagangai and quash the same.



Crl.O.P.(MD)No.22326 of 2025

For Petitioners : Mr.K.Sathish Kumar

For R1 : Mr.S.Ravi
Additional Public Prosecutor

For R2 to R5 : Mr.Yeswanth R

ORDER

This Criminal Original Petition has been filed under Section 528 BNSS, seeking to quash the charge sheet filed in C.C.No.166 of 2023 on the file of the Additional Mahila Court, Sivagangai, insofar as the petitioners are concerned.

2. The case of the prosecution is that due to previous enmity, on 12.04.2023, at about 06.30 p.m., when the de-facto complainant was at her home, the petitioners reached her house, assaulted her and 3 others, and also criminally intimidated them. This resulted in the filing of a complaint in Crime No.75 of 2023 before the first respondent police.

3. After investigation, a charge sheet was filed, and the matter was taken on file as C.C.No.166 of 2023 on the file of the Additional Mahila Court, Sivagangai, for the alleged offences under Sections 294(b), 323, 326, and 506(2) of the IPC read with Section 4 of TN Prohibition of Harassment of Women Act, 2002.



Crl.O.P.(MD)No.22326 of 2025

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4. Admittedly, the petitioners and respondent Nos.2 to 5 are related to each other, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 26.11.2025 has been filed before this Court.

5. The petitioners, the 2nd respondent/de-facto complainant, and respondent Nos.3 to 5/victims are present before this Court in person and are identified by the Special Sub-Inspector of Police, Sivagangai Taluk Police Station, Sivagangai District. The de-facto complainant has categorically stated that she does not wish to pursue the proceedings 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 and the quashment would secure the ends of justice. The Court, however, drew

¹ 2012 10 SCC 303



Crl.O.P.(MD)No.22326 of 2025

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 compromise, even if the parties have amicably settled the dispute. The Court

² 2017 9 SCC 641

³ 2019 5 SCC 688



Crl.O.P.(MD)No.22326 of 2025

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 matrimonial in nature 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.

11. Further, the Hon'ble Supreme Court, in *Lovely Salhotra and another v. State (NCT of Delhi) and another*⁴, has held that where a clear offence is

⁴ AIR 2017 SC 2595



Crl.O.P.(MD)No.22326 of 2025

made out against the prime accused and no offence is made out against the peripheral accused, the Court can certainly consider quashing the charges against those accused, against whom no offence is made out.

12. Accordingly, the impugned charge sheet filed in C.C.No.166 of 2023 on the file of the Additional Mahila Court, Sivagangai, is quashed insofar as the petitioners are concerned, and the Criminal Original Petition stands allowed. The joint compromise memo dated 26.11.2025 shall form part and parcel of this order.

05.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Crl.O.P.(MD)No.22326 of 2025

L.VICTORIA GOWRI, J.

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To

1.The Additional Mahila Court,
Sivagangai.

2.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

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

Crl.O.P.(MD)No.22326 of 2025

05.12.2025