



CRL OP(MD). No.22522 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12.12.2025

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.22522 of 2025

Sundarapandi

... Petitioner

Vs.

1. State of Tamilnadu Rep by
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.39 of 2025)

2.Pandeeswari

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records relating to the charge sheet in C.C. No. 738 of 2025 pending on the file of the learned Judicial Magistrate, Thirumangalam, and quash the same.

For Petitioners : Mr.M.Venkatesan

For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side) for R1
: Mr.S.Saasan Kumar for R2



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ORDER

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This petition is filed seeking to quash the impugned Charge Sheet in C.C. No. 738 of 2025 pending on the file of the learned Judicial Magistrate, Thirumangalam, which was filed for the offences under Sections 296(b), 115(2) and 351(2) of BNS, 2023 and Section 4 of Tamilnadu Prohibition of Harassment of Woman Act, 2002.

2. The gist of the allegations in the final report is that the defacto complainant and her father went to the petitioner's house to attend a function. During the course of the function, a quarrel arose between the petitioner and the defacto complainant. Thereafter, the petitioner abused her in filthy language and also assaulted with hands 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 05.12.2025 has been filed before this Court.



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4. The petitioner and the second respondent / defacto complainant are present before this Court in person and are identified by Mrs.S.Michammal, SSI, Thirumangalam Town Police Station, Madurai District. The defacto complainant has categorically stated that she 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***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. 738 of 2025 pending on the file of the learned Judicial Magistrate, Thirumangalam, is hereby quashed in entirety and the Criminal Original Petition stands allowed. The petitioner shall deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred 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 05.12.2025 shall form part and parcel of this order.

11. The petitioner is 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



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TO

1. The learned Judicial Magistrate,
Thirumangalam.
2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai 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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