



Crl.OP(MD)No.22733 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED :11.12.2025**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**Crl.O.P.(MD).No.22733 of 2025**  
**and Crl.M.P(MD).No.19652 of 2025**

Mariya Arul

... Petitioner/ Sole Accused

**Vs.**

1.State of Tamil Nadu  
rep., by the Inspector of Police,  
Thondi Police Station,  
Ramanathapuram District.  
In CrimeNo.169 of 2023

2.Stephen Raj

... Respondents

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to S.T.C.No.614 of 2023 on the file of the learned Judicial Magistrate, Thiruvadanai, for offences under Sections 447 and 506(i) IPC and quash the same.

|                |                                                          |
|----------------|----------------------------------------------------------|
| For Petitioner | : Mr.V.Anbarasan                                         |
| For R-1        | : Mr.Thanga Aravindh.B<br>Government Advocate (Crl.side) |
| For R-2        | : Mr.J.Sathiyaraj                                        |



WEB COPY



Crl.OP(MD)No.22733 of 2025

## **ORDER**

This Criminal Original Petition is filed under Section Section 528 BNSS, seeking to quash the proceedings in S.T.C.No.614 of 2023 on the file of the learned Judicial Magistrate, Thiruvadanai.

2.The case of the prosecution is that the petitioner using his political influence laid iron fencing in the defacto complainant's land in order to grab the same. When the defacto complainant questioned the same, the petitioner threatened him. Hence, the case was registered against the petitioner for the offences under Sections 447 and 506(i) IPC.

3.Admittedly, the petitioner and the second respondent are relative and they have now resolved the dispute amicably. A Joint Compromise Memo dated 09.12.2025 has been filed before this Court.

4.The petitioner and the second respondent / defacto complainant are present before this Court in person and are identified by



Crl.OP(MD)No.22733 of 2025

Mr.K.Balakrishnan, SSI, Thondi 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.



WEB COPY

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 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.



WEB COPY



Crl.OP(MD)No.22733 of 2025

10. Accordingly, the impugned proceedings in S.T.C.No.614 of 2023 on the file of the learned Judicial Magistrate, Thiruvadanai is quashed in entirety and the Criminal Original Petition stands allowed. The joint compromise memo dated 09.12.2025 shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

**11.12.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No  
*Rmk*

To

1. The Judicial Magistrate, Thiruvadanai.

2. The Inspector of Police,  
Thondi Police Station,  
Ramanathapuram District.

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



WEB COPY



**Crl.OP(MD)No.22733 of 2025**

**L.VICTORIA GOWRI, J.**

*Rmk*

**CRL OP(MD)No.22733 of 2025**

**11.12.2025**