



CrI.O.P.(MD)No.384 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.01.2026**

CORAM:

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

CrI.O.P.(MD)No.384 of 2026
& CrI.M.P.(MD)No.368 & 370 of 2026

1.Sulthan
2.Abdul Kareem @ Abbas
3.Mohamed Fairul
4.Rosan Begam

... Petitioners/Accused No. 1 to 4

Vs.

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Nachiyarkoil,
Thanjavur District.
(Crime No. 748 of 2024)

... 1st Respondent/Complainant

2. Afrath Begam

... 2nd Respondent/ Defacto Complainant

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the entire records relating to the charge sheet in CC No.282 of 2025 on the file of the Judicial Magistrate No.II, Kumbakonam and quash the same as illegal.

For Petitioners : Mr. K.Althaf Sheriff

For Respondents : Mr. S.Ravi (R1)

Addl. Public Prosecutor

Mr. A.Nawazkhan (R2)



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ORDER

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This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in CC No.282 of 2025 on the file of the learned Judicial Magistrate No.II, Kumbakonam.

2. The gist of the allegations in the final report is that due to the previous dispute, the petitioners abused the defacto complainant and pushed her into hot oil. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.748 of 2024 was registered on the file of the first respondent against the petitioners and others for the offences under Sections 333, 296(b), 118(1), 76, 351(3) & 49 of BNS, 2023 and the same culminated in laying final report in Sessions CC No.282 of 2025 before the file of the learned Judicial Magistrate No.II, Kumbakonam, for the offences under 333, 296(b), 118(1), 76, 351(3) & 49 of BNS, 2023. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the petitioners and the second respondent are relatives, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 07.01.2026 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.K.Ashok Kumar, Sub-Inspector of Police, Nachiyarkoil Police Station, Thanjavur District. The defacto complainant has categorically stated that she does not wish to pursue the proceedings against the petitioners herein. 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 quashed merely on the basis of a settlement.

¹ 2012 (10) SCC 303



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 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.

² 2017 (9) SCC 641

³ 2019 (5) SCC 688



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

9. The dispute in question is predominantly a family dispute 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 final report in CC No.282 of 2025 on the file of the learned Judicial Magistrate No.II, Kumbakonam is quashed and the Criminal Original Petition stands allowed. The joint compromise memo dated 07.01.2026 shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

08.01.2026

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

Sm

TO:-

1. The Judicial Magistrate No.II, Kumbakonam.
2. The Inspector of Police,
Nachiyarkoil,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.384 of 2026

Dated
08.01.2026