



Crl.O.P.(MD)No.395 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **08.01.2026**

CORAM:

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

Crl.O.P.(MD)No.395 of 2026  
& Crl.M.P.(MD).No. 391 & 392 of 2026

1. Rathina Dhass
2. Victor
3. Velu @ Vel Kumar

... Petitioners

Vs.

1. The State of Tamilnadu,  
Rep by the Inspector of Police,  
Thirukkurungudi Police Station,  
Tirunelveli District.  
(Crime No.209 of 2021).

2. J.P.Durai Singh

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the records pertaining to the impugned CC No.182 of 2023 on the file of the Learned Judicial Magistrate Court, Vallioor, quash the same against the petitioners.



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For Petitioners : Mr.R.Ponkarthikeyan  
For Respondents : Mr.S. Ravi (R1)  
Government Advocate (Crl.Side)  
Mr. J.Pooventherarajan (R2)

### **ORDER**

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in CC No. 182 of 2023 on the file of the learned Judicial Magistrate, Vallioor, insofar as the petitioners are concerned.

2. The gist of the allegations in the final report is that in an attempt to grab the property of Thiruvavaduthurai Atheenam, the petitioners/accused herein criminally intimidated and attacked the de facto complainant by kicking, thereby causing injuries. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.209 of 2021 was registered on the file of the first respondent against the petitioners for the offences under Sections 147, 294(b), 506(2) and 323 of IPC and the same culminated in laying final report in Sessions CC No. 182 of 2023 before the file of the learned Judicial



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Magistrate, Vallioor, for the offences under Sections 294(b), 506(2) and 352 of IPC. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the petitioners and the second respondent are residing in the same locality, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 26.12.2025 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.A.Jeyarath, SSI, Thirukkurungudi Police Station, Tirunelveli. The defacto complainant has categorically stated that he does not wish to pursue the FIR against the petitioners. 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.



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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.



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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 CC No. 182 of 2023 before the file of the learned Judicial Magistrate, Vallioor, is quashed in entirety and the Criminal Original Petition stands allowed. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each, to the credit of the District Legal Service Authority, Tirunelveli District, within a period of one week from today. The joint compromise memo dated 26.12.2025 shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.



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11. The petitioners are directed to file a memo along with the photocopy of the receipt before the Registry on or before 29.01.2026.

List the matter on **29.01.2026**, for reporting compliance.

NCC : Yes / No  
Index : Yes / No  
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**08.01.2026**  
(2/2)

**TO:-**

1. The Inspector of Police,  
Thirukkurungudi Police Station,  
Tirunelveli District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI, J.**

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Order made in  
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(2/2)

Dated  
08.01.2026