



Crl.O.P(MD)No.2694 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.2694 of 2026

Karthikeyan

... Petitioner/A1

Vs.

1.The Inspector of Police,
Kottampatty Police Station,
Melur Sub Division,
Madurai District.
(Crme No.325/2012)

... Respondent/Complainant

2.Latha

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Crime No.325 of 2012 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Dhinakaran

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

For R2 : Mr.J.Madasamy



Crl.O.P(MD)No.2694 of 2026

WEB COPY

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the First Information Report in Crime No.325 of 2012 on the file of the 1st respondent Police Station, insofar as the petitioner is concerned.

2. The case of the prosecution is that the 2nd respondent lodged a complaint on 13.09.2012 alleging that the petitioner had abducted her minor daughter, aged about 17 years, from her residence on 05.09.2012 at about 7.45 p.m. Based on the said complaint, a case in Crime No.325 of 2012 was registered for the offence under Section 366 (A) of IPC against the petitioner and his family members.

3. Admittedly, the petitioner and the 2nd respondent are known to each other, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 27.02.2026 has been filed before this Court.

4. The petitioner and the 2nd respondent / defacto complainant are present before this Court in person and are identified by Mr.B.Kabiroli, SSI, Kottampatty 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 quashed merely on the basis of a settlement.

¹ 2012 10 SCC 303



WEB COPY

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

² (2017) 9 SCC 641

³ (2019) 5 SCC 688



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.



Cri.O.P(MD)No.2694 of 2026

WEB COPY

10. Further, the Hon'ble Supreme Court, in *Lovely Salhotra and another v. State (NCT of Delhi) and another*¹, has held that where a clear offence is 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.

11. Accordingly, the impugned FIR in Crime No.325 of 2012 on the file of the 1st respondent is quashed insofar as the petitioner herein is concerned and the Criminal Original Petition stands allowed. The joint compromise memo dated 27.02.2026 shall form part and parcel of this order.

27.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

gbg

¹ AIR 2017 SC 2595



Crl.O.P(MD)No.2694 of 2026

WEB COPY

To

- 1.The Inspector of Police,
Kottampatty Police Station,
Melur Sub Division,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.2694 of 2026

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.2694 of 2026

27.02.2026