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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2026

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CrI.O.P.(MD).No.1462 of 2026

Vignesh

... Petitioner

Vs.

1.State rep., by
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
Crime No.51 of 2022

2.Suresh

.. Respondents

PRAYER: This Criminal Original Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for records pertaining to FIR in Crime No.51 of 2022 on the file of the first respondent police and quash the same insofar as the petitioner concerned.

For Petitioner : Mr.D.Venkatesh

For R1 : Mr.B.Thanga Aravindh

Government Advocate (Crl.side)

For R2 : Mr.T.Leninkumar



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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to quash the FIR in Crime No.51 of 2022 on the file of the first respondent police.

2.The case of the prosecution is that on 04.03.2022 at about 10.00 am., when the second respondent was proceeding towards his agricultural land near the Village Panchayat Water Tank for irrigating his crops, the petitioner unlawfully cut thorns and dumped them into the irrigation canal and thereby, obstructed the free flow of water. When the same was questioned by the second respondent, the petitioner abused him with filthy language, threw stone at the second respondent and also attempted to assault him and his brother, Sathish. Based on the complaint, FIR in Crime No.51 of 2022 came to be registered against the petitioners for the offences under Sections 294(b), 323 and 506(ii) IPC.

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 23.01.2026 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 Ms.Sangeetha, WHC, Thottiyam Police Station. 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**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

¹ 2012 10 SCC 303



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***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

²(2017) 9 SCC 641

³(2019) 5 SCC 688



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



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therefore serve no useful purpose and would amount to an abuse of the process of Court.

10. Accordingly, the impugned FIR in Crime No.51 of 2022 is quashed in entirety and the Criminal Original Petition stands allowed. The petitioner shall deposit a sum of Rs.5,000/- to the Siddha Clinic, Madurai Bench of Madras High Court. (A/c No. 6865578213, Indian Bank, Madurai Bench of Madras High Court), within a period of one week from today. The joint compromise memo dated 23.01.2026 shall form part and parcel of this order.

27.01.2026

NCC : Yes/No
Index : Yes / No
Rmk

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To

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



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L.VICTORIA GOWRI,J.,

Rmk

Crl.O.P.(MD).No.1462 of 2024

**27.01.2026
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