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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

Crl.O.P.(MD).No.1461 of 2026

1.Suresh

2.Sathish

3.Saranya

... Petitioners

Vs.

1.State rep., by
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
Crime No.52 of 2022

2.Vignesh

.. 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.52 of 2022 on the file of the first respondent police and quash the same as illegal.

For Petitioners : Mr.T.Leninkumar

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.52 of 2022 on the file of the first respondent police.

2.The case of the prosecution is that on 04.03.2022, at about 09.00 am., an unknown person had entered into the cattle shed situated behind the defacto complainant's house. When the same was questioned by the defacto complainant, the first petitioner, who is the neighbour of the second respondent, admitted to the same and thereafter, abused the second respondent in filthy language in a public place, thereby causing annoyance and provocation and also assaulted the second respondent by hitting him with his hand, thereby causing pain and bodily injury. On the same day itself, the petitioners unlawfully trespassed into the house of the defacto complainant /second respondent and caused loss and damage to the property and attacked the second respondent with their hands and threatened him with dire consequences. Based on the complaint, FIR in Crime No.52 of 2022 came to be registered



against the petitioners for the offences under Sections 294(b), 325, 427 and 506(ii) IPC.

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 23.01.2026 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 Ms. Sangeetha, WHC, Thottiyam Police Station. 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**¹, the Hon'ble Supreme Court

¹ 2012 10 SCC 303



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***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,

²(2017) 9 SCC 641



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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.

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.

3(2019) 5 SCC 688



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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 FIR in Crime No.52 of 2022 is quashed in entirety and the Criminal Original Petition stands allowed. The petitioners shall deposit a sum of Rs.5,000/- each 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

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**27.01.2026
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