



CRL OP(MD). No.2128 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04/02/2026

CORAM

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

CRL OP(MD). No.2128 of 2026

S.Panneerselvam

... Petitioner

Vs

1.State of Tamilnadu

Rep by The Inspector of Police,
AWPS-Vallam,
Thanjavur District.
Crime No. 24 of 2025.

2. XXX

Rep. by guardian Mother
Thanjavur District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records on the file of Special Court under POCSO Act, Thanjavur in Spl.S.C.No. 264 of 2025 pending as against the petitioner herein and Quash the same.

For Petitioner	: Mr.A.Senthilkumar,
For R1	: Mr.Thangaaravindh.B
	Government Advocate (Crl.Side)
For R2	: Mr.L.Jeen Felix



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ORDER

This Criminal Original Petition is filed under Section 482 Cr.P.C., / Section 528 BNSS, seeking to quash the charge sheet in Spl.S.C No.264 of 2025 on the file of the learned Special Court under POCSO Act, Thanjavur.

2. The gist of the allegations in the final report is that the father of the victim, viz., the petitioner herein, did not maintain cordial relationship with the family members for the last four months and he quarreled with the milk man and the same was questioned by the victim girl, however, the petitioner with bad intention touched the victim and also assaulted her, thereby she sustained injury and thereafter, she was admitted in the hospital by her mother. Pursuant to the complaint given by the mother of the victim, a case in Crime No.229 of 2025 was registered on the file of the first respondent police, against the petitioner and the same culminated in laying final report in Spl.S.C.No.264 of 2025 before the Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur, for the offences under Sections 8, 9(m), 9(n) and 10 of



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POCSO Act and Section 75 of Juvenile Justice Act, 2015. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3.The learned counsel for the petitioner as well as the learned counsel for the defacto complainant submitted that since there was a family dispute between the petitioner and the defacto complainant, a false case has been lodged against the petitioner and now, the petitioner and the defacto complainant have settled the dispute between themselves amicably and the defacto complainant is not willing to proceed further with the criminal case.

4.Today, when the matter came up for hearing, a Joint memo of Compromise 02.02.2026 has been filed before this Court signed by the petitioner and the second respondent/victim and their respective counsels. The petitioner and the second respondent / victim and the defacto complainant, mother of the victim are present before this Court in person and are identified by Mr.N.Arulmurugan, Grade I 1337, Tamil University Police Station, Thanjavur District. The defacto complainant and the victim have categorically stated that they do not wish to pursue



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the proceedings against the petitioner 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

²(2017) 9 SCC 641

³(2019) 5 SCC 688



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the settlement is voluntary and not the result of coercion or undue influence.

8.Further, in a similar case, this Court, by order dated 16.12.2021 in Crl.O.P(MD).No.5250 of 2021, quashed the criminal proceedings against the petitioner.

9.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.

10.The dispute in question is now 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.



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11. Accordingly, the impugned charge sheet in Spl.S.C.No.264 of 2025 on the file of the Special Court under POCSO Act, Thanjavur, is quashed and the Criminal Original Petition stands allowed. A Joint memo of Compromise 02.02.2026 shall form part and parcel of this order.

04.02.2026

NCC :Yes/No
Index : Yes/No
Rmk

To

1. The Inspector of Police,
AWPS-Vallam,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L. VICTORIA GOWRI,J

Rmk

ORDER
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Date : 04/02/2026