



CRL OP(MD). No.2673 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 16/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.2673 of 2026

and

CRL MP(MD). No.2970 of 2026

1. M.Gopi,
2. P.Muniyasamy,
3. M.Vellaiyammal,
4. Gomathi.M,
5. A.Dharani

... Petitioners

Vs

1. State of Tamilnadu Rep by
Inspector of Police,
Awps-Sivagangai Police Station,
Sivagangai District.
Crime No.32 of 2021..

2. S.P.Soundarya

... Respondents

PRAYER :-

To Call for the records relating to impugned charge sheet in C.C.No. 185 of 2025 pending on the file of the Learned Additional Mahila Court, Sivagangai and Quash the same as against the petitioners concern.

For Petitioner : M/s.K.Vasanth Kumar,
Advocate.



CRL OP(MD), No.2673 of 2026

For Respondent : M/s.S.Ravi
Government Advocate (Crl.Side)

R2 : M/s.Divakaran

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in CC No. 185 of 2025 pending on the file of the Learned Additional Mahila Court, Sivagangai insofar as the petitioners are concerned.

2. The gist of the allegations in the final report is that, the case arises from the marriage between the first petitioner / first accused and the second respondent / de-facto complainant. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.32 of 2021 was registered on the file of the first respondent against the petitioners and others for the offences under Sections 498(A), 313, 315, 494, 465 and 109 of IPC and the same culminated in laying final report in S.C.No.142/2024 before the file of the learned Additional Mahila Court, for the offences under Sections 498(A), 494, 465 and 109 of IPC. Seeking quashment of the charge sheet, this Criminal Original



CRL OP(MD), No.2673 of 2026

Petition is filed.

WEB COPY

3. Admittedly, the petitioners and the second respondent are relatives, and they have now resolved the dispute amicably by settling an amount to the defacto complainant. A Joint Compromise Memo dated 10.02.2026 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 the Special Sub Inspector of Police, AWPS-Sivagangai, Sivagangai District. The defacto complainant has categorically stated that he does not wish to pursue the proceedings against the petitioners 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

¹ 2012 (10) SCC 303



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, and whether the dispute predominantly bears a civil or private character, rendering the possibility of conviction remote and bleak.

² 2017 (9) SCC 641



WEB COPY

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



10. Further, the Hon'ble Supreme Court, in *Lovely Salhotra and another v. State (NCT of Delhi) and another*⁴, 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 C.C.No.185 of 2025 pending on the file of the Learned Additional Mahila Court, Sivagangai, is quashed insofar as the petitioners are concerned and the Criminal Original Petition stands allowed. Each of the petitioners shall pay a sum of Rs.

6/8



CRL OP(MD), No.2673 of 2026

5,000/- (Rupees Five Thousand only) for establishing an E-Library to the credit of the MBHAA, in Indian Bank, Madurai Bench of Madras High Court Branch, Account No.496038755 IFSC No.IDIB000H040, MICR Code: 625019020, on or before 27.02.2026. The joint compromise memo dated 10.02.2026 shall form part and parcel of this order.

12. The petitioners are directed to file a memo along with the photocopy of the receipt before the Registry on or before 27.02.2026. List the matter on **06.03.2026**, for reporting compliance. Consequently, connected miscellaneous petition is closed.

16.02.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

pnn

L. VICTORIA GOWRI,J



CRL OP(MD), No.2673 of 2026

pnn

WEB COPY

To

1. The Additional Mahila Judge, Sivagangai.

2. The Inspector of Police,
Awps-Sivagangai Police Station,
Sivagangai District.
Crime No.32 of 2021..

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.2673 of 2026

and

CRL MP(MD). No.2970 of 2026

Date : 16/02/2026