



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CrI.O.P.(MD).Nos.3053 of 2026

Sheik Abdullah

... Petitioner

Vs.

1.State of Tamil Nadu
rep., by the Inspector of Police,
Woraiyur Police Station,
Trichy City.
Crime No.1905 of 2023

2.Saraswathi

3.Aravindan @ Purusothaman

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Crime No.1905 of 2023 on the file of the first respondent and quash the same.

For Petitioners : Mr.G.Pitchaimani

For R1 : Mr.B.Thanga Aravindh

Government Advocate (CrI.side)

For R2 & R3 : Mr.P.Rajalingam



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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to quash the FIR in Crime No.1905 of 2023 on the file of the first respondent police.

2.The case of the prosecution is that the petitioner is the former tenant to the second respondent/defacto complainant. On 17.08.2023 at about 20.40 hours, when the defacto complainant sat in front of her house, the petitioner scolded the defacto complainant in filthy language in respect of her work place. When the same was questioned by the defacto complainant, the petitioner attacked her and damaged her house window. On hearing the noise, the defacto complainant's son came to spot and tried to protect her mother, the petitioner attacked him. Based on the complaint, FIR in Crime No.1905 of 2023 came to be registered against the petitioner for the offences under Sections 294(b) and 324



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IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002.

3. Admittedly, the petitioner, the second and third respondents are residing in the same locality and they have now resolved the dispute amicably. A Joint Compromise Memo dated 12.01.2026 has been filed before this Court.

4. The petitioner, the second respondent / defacto complainant and third respondent are present before this Court in person and are identified by Mr. A. Gnana Prakash, SSI, Woraiyur 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***



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*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.

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

¹ 2012 10 SCC 303

² (2017) 9 SCC 641



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

3(2019) 5 SCC 688



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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.

10. Accordingly, the impugned FIR in Crime No.1905 of 2023 is quashed in entirety and the Criminal Original Petition stands allowed. The petitioner shall deposit a sum of Rs.5000/- 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



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No.IDIB000H040, MICR Code: 625019020. The joint compromise memo dated 12.01.2026 shall form part and parcel of this order.

13.02.2026

NCC : Yes/No
Index : Yes / No
Rmk

(2/2)

To

- 1.The Inspector of Police,
Woraiyur Police Station,
Trichy City.
- 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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