



CRL OP(MD). No.3220 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3220 of 2026

Kumaresan

... Petitioner

Vs

1. State of Tamilnadu Rep by
Inspector of Police, Radhapuram Police Station,
Tirunelveli District,
Crime No.37/2016.

2. Kathiresan

3. Bala Sutha

... Respondents

PRAYER :-

To call for the records in PRC.No.23/2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Radhapuram, Tirunelveli District, and quash the same.

For Petitioner : Mr. S.Micheal Heldon Kumar,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1
Government Advocate (Crl.Side)

Mr.S.Prabakaran for R2



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ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet PRC.No.23/2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Radhapuram, Tirunelveli District, and quash the same.

2. The gist of the allegations in the final report is that, due to previous property dispute, the petitioner abused the victims / respondents 2 and 3 and assaulted them, thereby causing injuries. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.98 of 2018 was registered on the file of the first respondent against the petitioner and others for the offences under Sections 324, 307, 323, 341, 506(2), 294(b) of IPC corresponding Sections are 117, 109, 115, 126, 351(2), 296(b) of BNS, 2023 and Section 4 of TNPHW Act and the same culminated in laying final report in P.R.C.No.23 of 2022 before the file of the learned District Munsif cum Judicial Magistrate, Radhapuram, Tirunelveli District, for the offences under Sections 326, 307, 323, 341, 506(2), 294(b) of IPC corresponding



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Sections are 117, 109, 115, 126, 351(2), 296(b) of BNS, 2023 and Section 4 of TNPHW Act. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the petitioner, the second respondent and the victims are residing in the same locality, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 13.01.2026 has been filed before this Court.

4. The petitioner and the second respondent / defacto complainant and the victims are present before this Court in person and are identified by Mr.M.James, Radhapuram Police station, Tirunelveli District. The defacto complainant and the victims have categorically stated that they do not wish to pursue 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**



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Singh v. State of Punjab¹, 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 the interests of justice, and whether the dispute predominantly bears a civil or private

1 2012 (10) SCC 303

2 2017 (9) SCC 641



character, rendering the possibility of conviction remote and bleak.

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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 petitioner, 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 charge sheet in in PRC.No. 23/2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Radhapuram, Tirunelveli District, is quashed. The petitioner shall pay a sum of Rs.4,000/- (Rupees Fourt 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 13.01.2026 shall form part and parcel of this order.



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11. 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.

16.02.2026

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

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To

1. District Munsif cum Judicial Magistrate Court, Radhapuram,
Tirunelveli District

2. Inspector of Police, Radhapuram Police Station,
Tirunelveli District,
Crime No.37/2016.

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



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L. VICTORIA GOWRI,J

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ORDER
IN
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Date : 16/02/2026