



CRL OP(MD). No.3221 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.3221 of 2026

1. Kathiresan

2. Balasudha

... Petitioners

Vs

1. State of Tamilnadu Rep by Inspector of Police,
Radhapuram Police Station,
Tirunelveli District,
Crime No.20/2016.

2. Kumaresan

... Respondents

PRAYER :-

To call for the entire records pertaining to the case F.I.R. in Crime No. 20 of 2016 on the file of the respondent police, Radhapuram, Tirunelveli and quash the same as against the petitioners.

For Petitioner : Mr. Prabakaran S,
Advocate.

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

Mr.S.Micheal Heldon Kumar for R2



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ORDER

This Criminal Original Petition is filed to call for the entire records pertaining to the case F.I.R. in Crime No. 20 of 2016 on the file of the respondent police, Radhapuram, Tirunelveli and quash the same as against the petitioners.

2. The gist of the allegations in the FIR is that due to property dispute, the accused persons abused the defacto complainant in filthy language and assaulted him with dire consequences. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.20 of 2016 was registered on the file of the first respondent against the petitioners and others for the offences under Sections 447, 294(b), 506(ii) of IPC and Section 3 of TNPPDL corresponding Sections are Section 329(3), 285(2), 356(2) of BNS, 2023. Seeking quashment of the FIR, this Criminal Original Petition is filed.

3. Admittedly, the petitioners and the second respondent are known to each other, and they have now resolved the dispute amicably.



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A Joint Compromise Memo dated 13.02.2026 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 Mr.M.James, Radhapuram Police Station, Tirunelveli 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 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

¹ 2012 (10) SCC 303



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.

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

² 2017 (9) SCC 641

³ 2019 (5) SCC 688



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.

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.



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Continuation of the criminal proceedings would therefore serve no useful purpose and would amount to an abuse of the process of Court.

10. Further, the Hon'ble Supreme Court, in ***Lovely Salhotra and another v. State (NCT of Delhi) and another***⁴, has held that where no offence is made out against any accused, the Court can certainly consider quashing the charges against those accused, against whom no offence is made out.

11. Accordingly, the impugned FIR in Crime No.20 of 2026 on the file of the first respondent police 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.4,000/- (Rupees Four 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 13.02.2026 shall form part and parcel of this order.

⁴ AIR 2017 SC 2595



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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.

16.02.2026

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

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To

1. The Inspector of Police, Radhapuram Police Station,
Tirunelveli District, Crime No.20/2016.

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



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L. VICTORIA GOWRI,J

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