



CRL OP(MD). No.3656 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3656 of 2026

1. Kesavan
2. Sekarbabu
3. Kaniraja
4. Manikandaprabhu
5. Vinothkumar @ Kongu Vinoth ... Petitioners

Vs

1. State of Tamilnadu Rep by
Inspector of Police,
Theni Police Station,
Theni District.
Crime No.330 of 2024.

2. Thavaselvam ... Respondents

PRAYER :-

To call for the records pertaining to the FIR in Crime No.330 of 2024
on the file of the Respondent Police and Quash the same.

For Petitioner : M/s.C.Jeganathan,
Advocate.

For Respondent : M/s.Thanga Aravindh.B
Government Advocate (Crl.Side)

R2 : M/s.M.Dhinakar



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ORDER

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This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the FIR in Crime No.330 of 2024 on the file of the 1st respondent.

2. The gist of the allegations in the FIR is that the petitioners have cheated the defacto complainant to the tune of Rs.10,75,000/- under the pretext that they would double the money and thereby grabbed the amount. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.330 of 2024 was registered on the file of the first respondent against the petitioners for the offences under Sections 316(2) and 318(4) of BNS and later altered to Sections 316(2), 318(4) and 180 of BNS Act. 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. A Joint Compromise Memo dated 16.02.2026 has been filed before this Court.



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4. The petitioners and the second respondent / defacto complainant are present before this Court in person and are identified by Mr.P.Ravi, SI, Theni Police Station, Theni 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 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

¹ 2012 (10) SCC 303



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 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

² 2017 (9) SCC 641

³ 2019 (5) SCC 688



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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. 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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10. Accordingly, the impugned FIR in Crime No.330 of 2024 on the file of the first respondent is quashed and the Criminal Original Petition stands allowed. Each of the petitioners shall pay a sum of Rs.50,000/- (Rupees Fifty 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 13.03.2026. The joint compromise memo dated 16.02.2026 shall form part and parcel of this order.

11. The petitioners are directed to file a memo along with the photocopy of the receipt before the Registry on or before 13.03.2026. List the matter on 16.03.2026, for reporting compliance.

20.02.2026

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

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To
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1. The Inspector of Police,
Theni Police Station,
Theni District.
Crime No.330 of 2024..

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



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L. VICTORIA GOWRI, J

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Date : 20/02/2026