



Crl.O.P(MD)No.4461 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.4461 of 2026

Muthukrishnan

... Petitioner/Sole Accused

Vs.

1.The State of Tamil Nadu,
Rep.by the Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.753/2025)

... Respondent/Complainant

2.Jesuraja

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in pursuant to the impugned FIR in Crime No.753 of 2025, dated 02.11.2025 on the file of the 1st respondent police and quash the same as far as the petitioner is concern.

For Petitioner : Mr.G.Radhakrishnan

For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)

For R2 : Mr.V.R.Arun Kumar



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ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the First Information Report in Crime No. 753 of 2025 on the file of the 1st respondent Police Station, insofar as the petitioner is concerned.

2. The prosecution case is that the petitioner is alleged to have set fire to the shop belonging to the defacto complainant, thereby causing damage to materials worth about Rs.30,000/-. On the basis of the said complaint, the respondent police registered a case in Crime No.753 of 2025 for the offence under Section 326(g) of BNS, 2023.

3. Admittedly, the petitioner and the 2nd respondent are residing in the same locality, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 26.02.2026 has been filed before this Court.

4. The petitioner and the 2nd respondent / defacto complainant are present before this Court in person and are identified by Mr. Shanmugasundaram, SSI, SIPCOT Police Station, Thoothukudi



District. 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 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.

¹ 2012 10 SCC 303



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 examining compromise quash petitions, the High Court must consider the nature

² (2017) 9 SCC 641

³ (2019) 5 SCC 688



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.

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.753 of 2025 is quashed and the Criminal Original Petition stands allowed subject to the condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten 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. The joint compromise memo dated 26.02.2026 shall form part and parcel of this order.

11. The petitioner is directed to file a memo along with the photocopy of the receipt before the Registry on or before 28.04.2026. In the event of non-compliance with the order passed by this Court, the same shall stand automatically vacated. List the matter on **29.04.2026**, for reporting compliance.

27.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To
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- 1.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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