



Crl.O.P(MD)No.5074 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.5074 of 2024

and

Crl.M.P(MD) No.3968 of 2024

1.Peterraj

2.Leema Peterraj

3.Backiaraj

... Petitioners/A1 to A3

Vs.

1.The Inspector of Police,
DCB, Trichy District.
Crime No. 2 of 2024.

...1st Respondent/Complainant

2.Manjula

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Cr.No.02 of 2024 on the file of the first respondent Police and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr. Subash Chandra Bose.M

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

For R2 : Mr.B.Micheal Sebastin



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ORDER

This Criminal Original Petition is filed under Section 482 CrPC, seeking to quash the First Information Report in Crime No.2 of 2024 on the file of the first respondent Police Station, insofar as the petitioners are concerned.

2. Brief facts of the case: The prosecution case is that accused Nos.1 and 2, in collusion with accused Nos.4 and 5 acting as brokers, induced the defacto complainant and her husband to purchase four plots allegedly measuring 4,800 sq.ft. at Sumangali Nagar Layout, Poonampalayam Village, Tiruchirappalli. The accused received a sale consideration of Rs.37,00,000/-. It is alleged that the accused had prior knowledge that the said plots were encumbered and that the actual extent in Survey No.465/5 was only 500 sq.ft. After the purchase, when patta was sought, the Village Administrative Officer and subsequently the District Registrar confirmed that the survey field measured only 500 sq.ft., rendering patta issuance impossible. Despite being confronted, the accused neither rectified the defect nor refunded the amount and



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allegedly threatened the defacto complainant. Thus, the allegations disclose offences of cheating and criminal intimidation.

3. Admittedly, the petitioner and the second respondent are known to each other, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 24.06.2024 has been filed before this Court.

4. The petitioner and the second respondent / defacto complainant are present before this Court in person and are identified by Mr.Malik, Sub-Inspector, DCB, Trichy 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***, 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***, 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*, 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.



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9. The dispute in question is predominantly private in nature 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.2 of 2024 is quashed and the Criminal Original Petition stands allowed. The joint compromise memo, dated 24.06.2024 shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

02.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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- To
- 1.The Inspector of Police,
DCB, Trichy 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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