



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

**Crl.O.P.(MD).No.10294 of 2025
and Crl.M.P(MD).Nos.7701 and 7702 of 2025**

1.Pramma Nayagam @ M.Piramanayagam

2.Mugesh Alias Siva Mugesh Venu
@ M.Siva Mukesh Venoo

... Petitioners

Vs.

1.State rep., by
The Inspector of Police,
Puliyarai Police Station,
Tenkasi District.
Crime No.75 of 2024

2.Chandrasekar

.. Respondents

PRAYER: This Criminal Original Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records pertaining to the charge sheet in C.C.No.44 of 2025 on the file of the learned Judicial Magistrate, Shencottah and quash the same as illegal.

For Petitioners	: Mr.A.Robinson
For R1	: Mr.B.Thanga Aravindh Government Advocate (Crl.side)



For R2

: Mr.R.Ponkarthikeyan

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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to quash the impugned proceedings in C.C.No.44 of 2025 on the file of the learned Judicial Magistrate, Shencottah .

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs.20,000/- from one Ulagammal and thereafter, he failed to repay the said amount. In this regard, the said Ulagammal approached the petitioners and at her instance, the petitioners are continuously threatening the defacto complainant demanding to repay the amount. Based on the complaint, FIR in Crime No.75 of 2024 came to be registered against the petitioners for the offences under Sections 384 and 506(1) of IPC and the same culminated in laying a final report, which was also taken cognizance by the learned trial Court in C.C.No. 44 of 2025. Challenging the same, this present petition is filed. It was



also reported that during the pendency of the proceedings, the first petitioner/A1 has passed away.

3. Admittedly, the second petitioner and the second respondent are residing in the same locality and they have now resolved the dispute amicably. A Joint Compromise Memo dated 19.02.2026 has been filed before this Court.

4. The second petitioner and the second respondent / defacto complainant are present before this Court in person and are identified by Mr. G. Shunmugam, SSI, Puliyarai Police Station. The defacto complainant has categorically stated that he does not wish to pursue the FIR against the second 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***



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*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.

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

¹ 2012 10 SCC 303

² (2017) 9 SCC 641



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 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.

3(2019) 5 SCC 688



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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 second 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.

10. Accordingly, the impugned proceedings in C.C.No.44 of 2025 on the file of the learned Judicial Magistrate, Shencottah, is quashed in entirety and the Criminal Original Petition stands allowed. The second petitioner shall deposit a sum of Rs.2,500/- 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 22.04.2026.

The joint compromise memo dated 19.02.2026 shall form part and
parcel of this order.

11.The second petitioner is directed to file a memo along with the
photocopy of the receipt before the Registry on or before 27.04.2026
List the matter on **28.04.2026**, for reporting compliance. Consequently,
connected miscellaneous petitions are closed.

25.02.2026

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Judicial Magistrate, Shencottah.
- 2.The Inspector of Police,
Puliyarai Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI,J.,

Rmk

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