



Crl.OP(MD)No.15377 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.15377 of 2024

Sathiyamoorthy

... Petitioner/Sole Accused

Vs.

1. State of Tamil Nadu,
Rep. by The Inspector of Police,
Illuppur Police Station,
Pudukkottai District.
(Crime No.347 of 2021)

... Respondent /Complainant

2.Dharshini

... Respondent/Defacto
Complainant

(R2 is suo motu impleaded vide order dated 16.02.2026 in
Crl.OP(MD)No.15377 of 2024 by LVGJ)

Prayer: Criminal Original Petition is filed under Section 528 of
BNSS, 2023, to call for the records in S.C.No.27 of 2021 pending on
the file of the learned Sessions Judge, Mahila Court, Pudukkottai,
and quash the same.

For Petitioner : Mr.P.Ganapathi Subramanian

For R-1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)



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For R-2

: Mr.R.Sanjaikumar

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in S.C.No.27 of 2021 on the file of the learned Sessions Judge, Mahila Court, Pudukkottai.

2. The case of the prosecution is that the complainant is the mother of the victim girl, who is studying 11th standard. The petitioner and the victim girl had love affair and the same was warned by the complainant and her husband. On 26.07.2021, the girl was found missing. Pursuant to the complaint given by the defacto complainant/second respondent, a case in Crime No.347 of 2021 was registered by the respondent police as 'Girl Missing'. Thereafter, on enquiry, they came to know that at the instigation of the petitioner and on a false promise that he would marry her, the victim girl went to the house of the petitioner at Belanthurai, where he had physical relationship with the victim for several times, and thereafter, on 29.07.2021, he took her to the State of Kerala and on



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02.08.2021, the respondent police secured them and registered a case against the petitioner for the offence under Section 363 of IPC & 5(1) r/w 6(1) of POCSO Act and the same culminated in laying final report in S.C.No.27 of 2021 before the learned Sessions Judge, Mahila Court, Pudukkottai, for the same offences. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the Sub Registrar II, Thousand Lights, issued a marriage certificate dated 30.09.2024 vide Marriage Sl.No.TMR/Chennai Central Joint II/330/2024 certifying that the marriage between the petitioner and the second respondent/victim girl has been solemnized on 30.09.2024 and the same has been registered on the same day itself at serial No.330 of Register of Marriages maintained under the Tamilnadu Registration of Marriages Act, 2009 and the parties have now resolved the dispute amicably. It is also stated that the petitioner and the second respondent/victim are leading matrimonial life peacefully. A Joint Compromise Memo dated 19.02.2026 has been filed before this Court.



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4. The petitioner and the second respondent / defacto complainant are present before this Court in person and are identified by Mr.C.Malai Samy, the Special Sub-Inspector of Police, Illuppur Police Station, Pudukkottai District. The defacto complainant has categorically stated that she do not wish to pursue the proceedings against the petitioner 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 impact on

¹ 2012 (10) SCC 303



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

² 2017 (9) SCC 641

³ 2019 (5) SCC 688



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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.

9. The dispute in question is now predominantly a family dispute of Romeo Juliet Category 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 charge sheet in S.C.No.27 of 2021 pending on the file of the learned Sessions Judge, Mahila Court, Pudukkottai, is quashed and the Criminal Original Petition stands allowed. The petitioner shall pay a sum of Rs.3,000/- (Rupees Three 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 23.02.2026. The joint compromise memo dated 19.02.2026 and the marriage certificate dated 30.09.2024 in Sl.No.TMR/Chennai Central Joint II/330/2024 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 10.04.2026. List the matter on **15.04.2026**, for reporting compliance.

20.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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L.VICTORIA GOWRI, J.

dss

To

- 1.The Sessions Judge, Mahila Court,
Pudukkottai.
2. The Inspector of Police,
Illuppur Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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