



Crl.O.P(MD).No.21526 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09/01/2026

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CRL OP(MD). No.21526 of 2025

- 1.Devasagayam
- 2.Pothumponnu
- 3.Anthoniyar
- 4.Dinesh Augustin Raj @ Agustin Dinesh
- 5.Henry Antony Raj @ Kennady
- 6.Christopher
- 7.Pavithra Mary

... Petitioners

Vs

- 1.State of Tamil Nadu,
rep., by the Inspector of Police,
Vaiyampatty Police Station,
Trichy District.
Crime No.596 of 2025

- 2.Suvaikin Aruldas

... Respondents

PRAYER :-Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned FIR in Crime No.596 of 2025 on the file of the first respondent police dated 28.10.2025 and quash the same as illegal.



Crl.O.P(MD).No.21526 of 2025

For Petitioners : Mr.A.Thiyagarajan
For R1 : Mr.M.Sakthi Kumar
Government Advocate (crl.side)
For R2 : Mr.M.Prabu

ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to quash the First Information Report in Crime No.596 of 2025 dated 28.10.2025 on the file of the respondent police.

2.The case of the prosecution is that there was a pathway dispute between the first petitioner, who is the paternal uncle of the defacto complainant, and the defacto complainant. Owing to the said dispute, when the de facto complainant accessed the road for the purpose of letting out cattle, the petitioners picked a quarrel with him by using filthy language, assaulted him and his wife with an iron rod, and also threatened them with dire consequences. Hence, the defacto complainant lodged a complaint against the petitioners and FIR in Crime No.596 of 2025 came to be registered for the offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023.



Cr.O.P(MD).No.21526 of 2025

3. Admittedly, the petitioners and the second respondent are relatives and they have now resolved the dispute amicably. A Joint Compromise Memo dated 08.01.2026 has been filed before this Court.

4. The petitioners and the second respondent / defacto complainant are present before this Court in person and are identified by Mr. Murugesan, SSI, Vaiyampatti Police Station, Tiruchy District. The defacto complainant has categorically stated that he does not wish to pursue the FIR against the petitioners. 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

¹ 2012 10 SCC 303



CrI.O.P(MD).No.21526 of 2025

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 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

² (2017) 9 SCC 641

³ (2019) 5 SCC 688



Crl.O.P(MD).No.21526 of 2025

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 petitioners, the stage of the proceedings, and the voluntary nature of the compromise.

9. The dispute in question is predominantly family dispute 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



Crl.O.P(MD).No.21526 of 2025

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.596 of 2025 dated 28.10.2025 on the file of the first respondent police is quashed entirety and the Criminal Original Petition stands allowed. The petitioners shall deposit a sum of Rs.1,000/- (Rupees One Thousand only) each to the District Legal Services Authority, Trichy, on or before 10.02.2026, failing which, the present order shall stand automatically vacated. The joint compromise memo dated 08.01.2026 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 10.02.2026. List the matter on 10.02.2026, for reporting compliance.

09.01.2026
(1/2)

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

6/8



WEB COPY



Crl.O.P(MD).No.21526 of 2025

To

- 1.The Inspector of Police,
Vaiyampatty Police Station,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P(MD).No.21526 of 2025

L.VICTORIA GOWRI,J

Rmk

CRL OP(MD). No.21526 of 2025

Date : 09/01/2026
(2/2)