



Crl.O.P(MD)No.22139 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.22139 of 2025

1.Venkatesh
2.Ananthbabu

... Petitioners/A2 & A3

Vs.

1.The State of Tamil Nadu,
Rep.by its Inspector of Police,
Vallam Police Station,
Thanjavur District
(Crime No.148/2021)

... Respondent/Complainant

2.Vanithamani

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records of First Information Report in Crime No. 148 of 2021 dated 27.04.2021 on the file of the 1st Respondent / Complainant and quash the same in respect of the petitioners.

For Petitioner : Mr.A.Jeyaram

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

For R2 : M/s.B.Anu



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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to quash the First Information Report in Crime No.148 of 2021 on the file of the 1st respondent Police Station, insofar as the petitioners are concerned.

2. The case of the prosecution is that on 26.04.2021 at about 8.15 p.m., the accused, in an intoxicated state, abused and assaulted the *defacto* complainant and others at her petty shop over a payment dispute, caused damage to shop property worth about Rs.2,000/-, criminally intimidated them, and fled the scene. The injured complainant was admitted to TMCH Hospital, and a case was registered against four accused on 27.04.2021.

3. Admittedly, the petitioners and the 2nd respondent are residing in the same locality and they have now resolved the dispute amicably. A



Joint Compromise Memo dated 07.01.2026 has been filed before this Court.

4. The petitioners and the 2nd respondent / *defacto* complainant are present before this Court in person and are identified by Mr.M.Arunchalam, SSI, Vallam Police Station, Thanjavur District. The *defacto* complainant has categorically stated that she 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 essentially private in nature and the quashment would secure the ends

¹ 2012 10 SCC 303



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.

² (2017) 9 SCC 641



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7. In State of *Madhya Pradesh v. Laxmi Naraya*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.

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.

³ (2019) 5 SCC 688



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. Further, the Hon'ble Supreme Court, in *Lovely Salhotra and another v. State (NCT of Delhi) and another*¹, has held that where a clear offence is made out against the prime accused and no offence is made out against the peripheral accused, the Court can certainly consider quashing the charges against those accused, against whom no offence is made out.

11. Accordingly, the impugned FIR in Crime No.148 of 2021 is quashed insofar as the petitioners herein are concerned and the Criminal Original Petition stands **allowed** subject to the condition that each of the petitioners shall draw a demand draft to a sum of Rs.25,000/-

1 AIR 2017 SC 2595



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(Rupees Twenty Five Thousand only) in favour of the 2nd respondent/defacto complainant. The joint compromise memo dated 07.01.2026 shall form part and parcel of this order.

12. The petitioners are directed to file a memo along with the photocopy of the receipt before the Registry on or before 23.02.2026. The appearance of the parties is dispensed with for further hearing. In the event of non-compliance with the order passed by this Court, the same shall stand automatically vacated. List the matter on **23.02.2026**, for reporting compliance.

09.01.2026

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

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To

1.The Inspector of Police,
Vallam Police Station,
Thanjavur District.



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L.VICTORIA GOWRI, J.

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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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