



*Crl.O.P.(MD)No.21735 of 2025*

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**L.VICTORIA GOWRI, J.**

This matter is listed under the caption 'for being mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submits that the IPC sections relating to the offences have been mistakenly typed and may kindly be modified accordingly.

3. In view of the same, in para 2 of the order dated 17.02.2026 passed in this petition, in line No.7, the typed portion '191, 296, 115, 351(2) of BNS' is replaced with '147, 294(b), 323 & 506(2) of IPC'.

4. Barring the above, there are no other modifications to order dated 17.02.2026 passed in this petition.

5. Registry shall issue fresh order copy to the parties concerned incorporating the aforesaid modification.

**09.04.2026**

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**Note: Issue order copy on 10.04.2026.**



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**L.VICTORIA GOWRI, J.**

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Order made in  
Crl.O.P.(MD)No.21735 of 2025

Dated  
09.04.2026



*CrI.O.P.(MD)No.21735 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 17/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.21735 of 2025

and

CRL MP(MD). Nos.18669 and 18671 of 2025

1. Balamurugan,
2. Kottai Perumal
3. Muniyasamy

... Petitioners

Vs

1. State of Tamilnadu Rep by,  
Inspector of Police,  
Soorankudi Police Station,  
Thoothukudi District.

2. Selvaraj

... Respondents

PRAYER :-

To call for the records in CC No.350/2021 on the file of the District Munsif Cum Judicial Magistrate, Vilathikulam and quash the same and thus render justice.

For Petitioner : M/s.Suriyamuthu N,  
Advocate.

For Respondent :M/s.M.Sakthi Kumar  
Government Advocate (CrI.Side)

R2 : M/s.R.Kannan

**ORDER**



*Crl.O.P.(MD)No.21735 of 2025*

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in CC No.350 of 2021 on the file of the learned Judicial Magistrate, Vilathikulam, insofar as the petitioners are concerned.

2. The gist of the allegations in the final report is that, the accused persons have assaulted the defacto complainant with hand and lathi and abused him in filthy language and criminally intimidated him. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.116 of 2019 was registered on the file of the first respondent against the petitioners and others for the offences under Sections 191, 296, 115, 351(2) of BNS and the same culminated in laying final report in CC No.350 of 2021 before the file of the learned District Munsif cum Judicial Magistrate, Vilathikulam, for the same offences. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the petitioners and the second respondent are known to each other, and they have now resolved the dispute amicably. A Joint Compromise Memo dated 10.10.2021 has been filed before this Court.



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4. The petitioners and the second respondent / defacto complainant are present before this Court in person and are identified by the Special Sub Inspector of Police, Soorangudi Police Station, Thoothukudi District. The defacto complainant has categorically stated that he does not wish to pursue the proceedings against the petitioners 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***<sup>1</sup>, 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.

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<sup>1</sup> 2012 (10) SCC 303



6. The said principles were succinctly crystallised in ***Parbatbhai Aahir v. State of Gujarat***<sup>2</sup>, 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***<sup>3</sup>, 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

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<sup>2</sup> 2017 (9) SCC 641

<sup>3</sup> 2019 (5) SCC 688



coercion or undue influence.

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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 petitioners, 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. Further, the Hon'ble Supreme Court, in *Lovely Salhotra and another v. State (NCT of Delhi) and another*<sup>4</sup>, 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.

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<sup>4</sup> AIR 2017 SC 2595



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11. Accordingly, the impugned CC No. 350 of 2021 before the file of the learned Judicial Magistrate, Villathikulam, Thoothukudi District, is quashed insofar as the petitioners are concerned and the Criminal Original Petition stands allowed. Each of the petitioners shall pay a sum of Rs.2,000/- (Rupees Two 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 27.02.2026 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 27.02.2026. List the matter on **03.03.2026**, for reporting compliance. Consequently, connected miscellaneous petitions are closed.

17.02.2026

NCC : yes / no  
Index : yes / no  
Internet : yes / no

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**L. VICTORIA GOWRI,J**

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ORDER  
IN  
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**and**  
**CRL MP(MD). Nos.18669 and 18671 of 2025**

Date : 17/02/2026