



Crl.O.P(MD)No.22016 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.22016 of 2025

1.Rajesh @ ST Adityan @ Thaiyal Paga Adityan
2.Vikram Adithyan ... Petitioners/A1 & A2

Vs.

1.The State of Tamil Nadu,
Rep.by its Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District
(Crime No.105/2016) ... Respondent/Complainant

2.M.Arumugavadiu ... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the Crime No.105 of 2016 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.R.J.Karthick
For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)
For R2 : Mr.L.Subramanian Kishore



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Crl.O.P(MD)No.22016 of 2025

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the First Information Report in Crime No.105 of 2016 on the file of the 1st respondent police, insofar as the petitioners are concerned.

2. The case of the prosecution is that the 2nd respondent and her husband had been maintaining the petitioners' farmland for several years. On 05.03.2016 at about 11:30 a.m., while they were working in the field, the petitioners, along with six others armed with machetes and iron rods, entered the land. The 1st petitioner allegedly abused and threatened the 2nd respondent and her husband with dire consequences and attempted to assault the 2nd respondent. When she raised an alarm, nearby persons rushed to the spot. On seeing the crowd gather, the accused attempted to flee. However, four of them were caught by the public and taken into custody. Based on the complaint lodged by the 2nd respondent, a case was registered in Crime No.105 of 2016 for the



offences under Sections 147, 148, 294(b), 506(ii) IPC and Section 3(1) (x) of SC/ST (POA) Act, 1989 on the file of the 1st respondent police.

3. Admittedly, the petitioners and the 2nd respondent are known to each other and they have now resolved the dispute amicably. A Joint Compromise Memo dated 02.12.2025 has been filed before this Court.

4. The petitioner and the 2nd respondent / *defacto* complainant are present before this Court in person and are identified by Mr.Martin Baskar, SSI, Tiruchendur Police Station, Thoothukudi 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

¹ 2012 10 SCC 303



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 the interests of justice, and whether the dispute predominantly bears a

² (2017) 9 SCC 641



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.

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

³ (2019) 5 SCC 688



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 another¹***, 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.

¹ AIR 2017 SC 2595



Crl.O.P(MD)No.22016 of 2025

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11. Accordingly, the impugned FIR in Crime No.105 of 2016 on the file of the 1st respondent police is quashed insofar as the petitioners herein are concerned and the Criminal Original Petition stands allowed. The joint compromise memo dated 02.12.2025 shall form part and parcel of this order.

06.02.2026

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

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



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Crl.O.P(MD)No.22016 of 2025

L.VICTORIA GOWRI, J.

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Crl.O.P(MD)No.22016 of 2025

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