



Crl.O.P.(MD)No.22888 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.01.2026**

CORAM:

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

Crl.O.P.(MD)No.22888 of 2025

1.Mohamed Hasib @ Mohammed Haseeb @ Abdul Haseeb

2.Saleem

3.Kasim

4.Nasir

... Petitioners/Accused No.1 to 4

Vs.

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
(Crime No. 145 of 2017)

... 1st Respondent/Complainant

2. Palanikumar

... 2nd Respondent/ Defacto Complainant

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the records pertaining to the impugned charge sheet in CC No257 of 2019 on the file of the Judicial Magistrate, Singampunari and quash the same.

For Petitioners : Mr. C.Senthil Murugan

For Respondents : Mr. M.Sakthi Kumar (R1)

Government Advocate (Crl.Side)

Mr. R.Shenbagaraj (R2)



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CrI.O.P.(MD)No.22888 of 2025

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in CC No.257 of 2019 on the file of the learned Judicial Magistrate, Singampunari.

2. The gist of the allegations in the final report is that the accused persons unlawfully broke open the almirah and suitcase kept in the house of the de facto complainant. Pursuant to the complaint given by the defacto complainant / second respondent, a case in Crime No.145 of 2017 was registered on the file of the first respondent against the petitioners for the offences under Sections 380 & 511 of IPC and the same culminated in laying final report in CC No. 257 of 2019 before the file of the learned Judicial Magistrate, Singampunari, for the same offences. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the petitioners and the second respondent have now resolved the dispute amicably. A Joint Compromise Memo dated 11.11.2025 has been filed before this Court.



Crl.O.P.(MD)No.22888 of 2025

4. The petitioners 2 to 4 and the second respondent / defacto complainant are present before this Court in person and are identified by Mr.N.Thinesh Kumar, Head Constable, S.V.Mangalam Police Station, Sivagangai 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***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 society, holding that the latter category cannot ordinarily be quashed merely on the basis of a settlement.

¹ 2012 (10) SCC 303



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 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.

² 2017 (9) SCC 641

³ 2019 (5) SCC 688



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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***⁴, has held that where no offence is made out against any accused, the Court can certainly consider quashing the charges against those accused, against whom no offence is made out.

11. Accordingly, the impugned CC No. 257 of 2019 before the file of the learned Judicial Magistrate, Singampunari, is quashed insofar as the

⁴ AIR 2017 SC 2595



Crl.O.P.(MD)No.22888 of 2025

petitioners 2 to 4 are concerned and the Criminal Original Petition stands partly allowed. In view of the absence of the first petitioner/A1 before this Court, the impugned proceedings in C.C. No. 257 of 2019 on the file of the learned Judicial Magistrate, Singampunari, shall continue insofar as the first petitioner/A1 is concerned. The joint compromise memo dated 11.11.2025 shall form part and parcel of this order.

30.01.2026

NCC : Yes / No
Index : Yes / No
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Crl.O.P.(MD)No.22888 of 2025

TO:-

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1. The Judicial Magistrate,
Singampunari.
2. The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.22888 of 2025

L.VICTORIA GOWRI, J.

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Order made in
Crl.O.P.(MD)No.22888 of 2025

Dated
30.01.2026