



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.23287 of 2025

Sudharsan

... Petitioner

Vs.

1.State of Tamil Nadu

rep., by The Deputy Superintendent of Police,
Bodinayakkanur Sub Division,
Bodi Town P.S., Theni District.

2.The Inspector of Police,

Bodinayakkanur Town Police Station,
Theni District.
Crime No.43/2023

3.Jeyaram

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records relating to the FIR in Crime No.43 of 2023 dated 09.02.2023 on the file of the second respondent and quash the same as against the petitioner.

For Petitioner : Mr.R.Suriya Narayanan

For R1 & R2 : Mr.M.Sakthikumar
Government Advocate (Crl.side)



For R3

: Mr.Rajaganapathy

WEB COPY

ORDER

When the matter came up for hearing, on 06.01.2026, this Court has passed the following order:

“This petition is filed seeking to quash the impugned FIR in Crime No.43 of 2023 dated 09.02.2023 on the file of the second respondent, which was filed for the offences under Sections 294(b), 323, 506(1) of IPC, 3(1)(r), 3(1)(s) and 3(2) (va) of SC/ST Act.

2. The gist of the allegations is that the first accused fell in love with the daughter of the third respondent. But the third respondent had arranged the marriage of his daughter with another person. The first accused had sent a photograph of himself and the daughter of the third respondent to the family of the groom and therefore, the marriage was stopped. On 02.02.2023, when the third respondent questioned the first accused regarding the issue, the accused persons abused him and his family members in filthy language and assaulted them. Hence, the present complaint.



WEB COPY

3. Admittedly, the petitioner / third accused and the third respondent are residing in the same village and they have now entered into a compromise and decided to give a quietus to the entire dispute. The parties have filed a joint compromise memo dated 19.12.2025.

4. The petitioner and the third respondent / defacto complainant are present before this Court in person. They are identified by Mr.Rajendran, SSI, Bodi Town Police Station, Theni District. The defacto complainant does not wish to pursue the said F.I.R and he had voluntarily come forward to give up this case as against the petitioner, who is a young man lost his father recently. All the parties confirmed the compromise arrived at between them.

5. The learned Government Advocate (Criminal Side) on instructions would submit that the defacto complainant had received a sum of Rs.1,50,000/- as compensation from the Adi Dravidhar Department and that a direction may be issued to the defacto complainant to deposit 1/4th amount to the Department, in so far as the petitioner herein.

6. Considering the nature of the allegations, this Court is of the view that no useful purpose would be served by



WEB COPY

keeping the impugned FIR pending investigation. Accordingly, the impugned FIR in Crime No.43 of 2023 is liable to be quashed. The defacto complainant is directed to repay a sum of Rs.37,500/-(1/4 of the compensation received from the Government) within a period of two weeks from the date of receipt of a copy of this order. The joint compromise memo dated 19.12.2025 shall form part and parcel of this order.

*7. The petitioner is directed to file a memo along with the photocopy of the receipt before the Registry on or before **30.01.2026**. List the matter on **03.02.2026**, for reporting compliance. “*

2. When the matter is taken up for hearing today (i.e., 18.02.2026), it is reported that the order of this Court has been complied with.

3. The same is recorded.



WEB COPY

4. 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.

5. 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

¹ 2012 10 SCC 303

² (2017) 9 SCC 641



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.

6. 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.

3(2019) 5 SCC 688



WEB COPY

7. 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 petitioner, the stage of the proceedings, and the voluntary nature of the compromise.

8. 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.

9. Further, the Hon'ble Supreme Court, in ***Lovely Salhotra and another v. State (NCT of Delhi) and another***⁴ (AIR 2017 SC 2595), 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

⁴ AIR 2017 SC 2595



Court can certainly consider quashing the charges against those accused, against whom no offence is made out.

10. Accordingly, the impugned FIR in Crime No.43 of 2023 is quashed insofar as the petitioner is concerned and the Criminal Original Petition stands allowed.

18.02.2026

NCC : Yes/No
Index : Yes / No
Rmk

To

1. The Deputy Superintendent of Police,
Bodinayakkanur Sub Division,
Bodi Town P.S., Theni District.
2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



L.VICTORIA GOWRI,J.,

Rmk

Crl.O.P.(MD).No.23287 of 2025

18.02.2026