



Crl.O.P(MD)No.23446 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.23446 of 2025

Mathusuthanan

... Petitioner/Accused

Vs.

1.The State of Tamil Nadu,
Rep.by its Inspector of Police,
Sessions Court Police Station,
Trichy, Trichy District.

... Respondent/Complainant

2.Sivasangari

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records and quash the charge sheet in C.C.No.1408 of 2025 on the file of the Additional Mahila Court, Trichy.

For Petitioner : Mr.H.Jahir Jussain

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

For R2 : Mr.M.Vijaya Kalidass



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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to call for the records and quash the charge sheet in C.C.No. 1408 of 2025 on the file of the Additional Mahila Court, Trichy.

2. The case of the prosecution is that the petitioner and the 2nd respondent/*defacto* complainant were married in the year 2017 and are parents to three male children. While a divorce petition between the parties is pending, the 2nd respondent allegedly went to the school to meet her children, during which time the petitioner is alleged to have forcibly pulled her hair, verbally abused her using filthy language, assaulted her, and issued threats amounting to criminal intimidation. Based on the complaint lodged by the *defacto* complainant, the 1st respondent police registered an FIR in Crime No.473 of 2024 for the offences under Sections 296(b), 115(2), 351(2) of BNS, 2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.



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3. Admittedly, the petitioner and the 2nd respondent are husband and wife and they have now resolved the dispute amicably. A Joint Compromise Memo dated 08.01.2026 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.G.Ravi, SSI, Sessions Court Police Station, Trichy District. The *defacto* complainant has categorically stated that she does not wish to pursue the FIR against the petitioner. 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

¹ 2012 10 SCC 303



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 civil or private character, rendering the possibility of conviction remote and bleak.

² (2017) 9 SCC 641



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

³ (2019) 5 SCC 688



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9. The dispute in question is predominantly family dispute 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. Accordingly, the impugned final report in C.C.No.1408 of 2025 on the file of the Additional Mahila Court, Trichy is quashed and the Criminal Original Petition stands allowed. The joint compromise memo dated 08.01.2026 shall form part and parcel of this order.

09.01.2026

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

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To

- 1.The Additional Mahila Court,
Trichy.
- 2.The Inspector of Police,
Sessions Court Police Station,
Trichy, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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