



Crl.O.P(MD)No.23850 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.23850 of 2025

and

Crl.M.P(MD)No.20689 & 20691 of 2025

S.Naveen

... Petitioner/Accused

Vs.

1.The State of Tamil Nadu,
Rep.by its Sub Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(Crime No.365/2024)

... Respondent/Complainant

2.Karpagavalli

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the C.C.No.22 of 2025 on the file of the Chief Judicial Magistrate -1, Tirunelveli, and quash the same.

For Petitioner : Mr.Aayiram K.Selvakumar

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

For R2 : Mr.N.Munnamalai



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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to call for the records relating to the C.C.No.22 of 2025 on the file of the Chief Judicial Magistrate -1, Tirunelveli, and quash the same.

2. The case of the prosecution is that during the period when the *defacto* complainant was living separately from her husband, the petitioner allegedly subjected her to harassment. On 23.08.2024 at about 8:00 p.m., while both the petitioner and the *defacto* complainant were present at a political meeting, the petitioner is alleged to have teased and humiliated the *defacto* complainant by imitating her voice and making derogatory gestures towards her. Based on the complaint lodged by the *defacto* complainant, FIR came to be registered in Crime No.365 of 2024 for the offences under 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 residing in the same locality 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.S.Senthilkumar, SSI, Perumalpuram Police Station, Tirunelveli 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

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



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petitioner, 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. Accordingly, the impugned charge sheet in C.C.No.22 of 2025 on the file of the Chief Judicial Magistrate -1, Tirunelveli is quashed and the Criminal Original Petition stands allowed subject to the condition that the petitioner shall deposit an amount of Rs.10,000/- to the District Legal Services Authority, Tirunelveli District. The joint compromise memo dated 08.01.2026 shall form part and parcel of this order.



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11. The petitioner is directed to file a memo along with the photocopy of the receipt before the Registry on or before 20.02.2026. In the event of non-compliance with the order passed by this Court, the same shall stand automatically vacated. List the matter on **23.02.2026** for reporting compliance.

09.01.2026

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

- 1.The Chief Judicial Magistrate -1,
Tirunelveli.
- 2.The Sub Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
- 3.The District Legal Services Authority,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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