



Crl.O.P(MD)No.23463 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.23463 of 2025

Surya

... Petitioner/Sole Accused

Vs.

1.The State of Tamil Nadu,
Rep.by its Inspector of Police,
Jetty Police Station,
Ramanathapuram District
(Crime No.91/2025)

... Respondent/Complainant

2.Jothi

... Respondent/Defacto Complainant

3.Murugan

... Respondent/Victim

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the Crime No.91 of 2025 dated 21.10.2025 on the file of 1st respondent police and quash the same.

For Petitioner : Mr.S.Sundarapandian

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



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ORDER

This Criminal Original Petition is filed under Section 528 BNSS, seeking to quash the First Information Report in Crime No.91 of 2025 on the file of the 1st respondent Police Station, insofar as the petitioner is concerned.

2. The case of the prosecution is that on 21.10.2025 at about 1.00 p.m., the *defacto* complainant's husband picked a quarrel with the family demanding money for the purchase of a new auto. Upon refusal, he left the house taking cash from the accused. When the said act was questioned by the accused, a verbal altercation ensued, which culminated in a physical assault. Based on the complaint lodged by the *defacto* complainant, FIR came to be registered in Crime No.91 of 2025.



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3. Admittedly, the petitioner and the 2nd respondent are relatives, have now resolved the dispute amicably. A Joint Compromise Memo dated 07.01.2026 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.R.Vellathangam, SSI, Jetty Police Station, Ramanathapuram 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 FIR in Crime No.91 of 2025 is quashed in entirety and the Criminal Original Petition stands allowed subject to the condition that the petitioner shall deposit an amount of Rs.2,000/- to the District Legal Services Authority, Ramanathapuram District. The joint compromise memo dated 07.01.2026 shall form part and parcel of this order.

11. The petitioner is directed to file a memo along with the photocopy of the receipt before the Registry on or before 09.02.2026. The appearance of the parties is dispensed with for further hearing. In the event of non-compliance with the order passed by this Court, the



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same shall stand automatically vacated. List the matter on **09.02.2026**

for reporting compliance.

09.01.2026

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

- 1.The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.
- 2.The District Legal Services Authority,
Ramanathapuram 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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