



CRL OP(MD). No.75 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/01/2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.75 of 2026

Mohan Ram

... Petitioner

Vs

State of Tamilnadu Rep by
Inspector of Police,
Cheranmahadevi Police Station
Tirunelveli District
in Crime No.449 of 2025

2.Sundaram

... Respondents

PRAYER :-

To call for the records relating to the impugned proceedings in P.R.C.No.149/2025 on the file of the District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli district and quash the same as against the petitioner.

For Petitioner : Mr. S.Senthil Sankara Natha Kumar,
Advocate.

For Respondents : Mr.B.Thanga Aravindh for R1
Government Advocate (Crl.Side)

M/s.Raghaventhree for R2



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ORDER

This Criminal Original Petition is filed under Section 528 of BNSS, seeking to quash the Charge sheet in P.R.C.No.149/2025 on the file of the District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District, in so far as the petitioner is concerned.

2. The gist of the allegations in the final report is that on 19.10.2025 at about 10.30 p.m., the second respondent's son along with some other persons bursted crackers in the street and the same was questioned by the petitioner's mother. Therefore a wordy quarrel arose and due to which the petitioner came to the house of the defacto complainant with Aruval and damaged the door of the defacto complainant's house. Further the petitioner / accused abused the defacto complainant with filthy language and threatened him with dire consequences and thus, committed the aforesaid offences.

3. Admittedly, the petitioner and the second respondent are known to each other and residing in the same locality and they have now



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resolved the dispute amicably. A Joint Compromise Memo dated 06.01.2026 has been filed before this Court.

4. The petitioner and the second respondent are present before this Court in person and are identified by Mr.P.Hariharashunmugam, SSI, Cheranmahadevi Police Station, Tirunelveli District. The defacto complainant has categorically stated that he 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, 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



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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*, 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*, 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



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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.

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.



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10. Accordingly, the impugned Charge Sheet in P.R.C.No. 149/2025 on the file of the District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli district, is quashed in entirety and the Criminal Original Petition stands allowed. The petitioner shall deposit a sum of Rs.5000/-(Rupees Five Thousand only) to the District Legal Service Authorities, Tirunelveli District, within a period of one week from today. The joint compromise memo dated 06.01.2026 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 30.01.2026. List the matter on 03.02.2026, for reporting compliance.

06.01.2026

NCC : yes /no
Index : yes / no
Internet : yes / no

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To

1. The District Munsif cum Judicial Magistrate, Cheranmahadevi,
Tirunelveli District.

2. The Inspector of Police,
Cheranmahadevi Police Station
Tirunelveli District
in Crime No.449 of 2025.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J

ORDER
IN
CRL OP(MD) No.75 of 2026

Date : 06/01/2026