



CRL.OP(MD) NO.424 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.424 of 2025

1. Jeya Pravin
2. Joseph Raj
3. Jacobraj
4. Suriya Prakash

... Petitioners

Vs

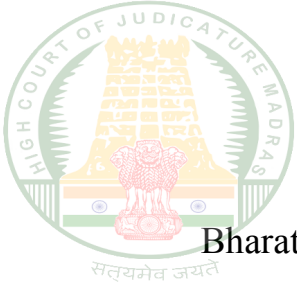
1. The State of Tamilnadu,
rep by the Deputy Superintendent Of Police,
Tirunelveli,
Tirunelveli District.

2. The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Crime No.236 of 2024

3. Thangaraj
4. Mariammal

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of



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Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records

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relating to the Charge sheet in S.C.No.124 of 2024 on the file of II Additional District & Sessions Court (PCR), Tirunelveli and Quash the same against the petitioners.

For petitioners : Mr.S.Arunkumar

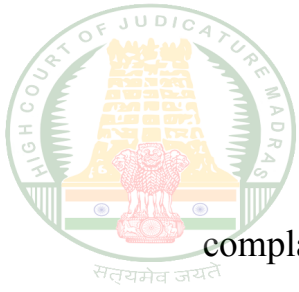
For R1 & R2 : Mr. M.Vaikkam Karunanithi
Government Advocate (Crl side)

For R3 & R4 : Mr.Kesavan

ORDER

This petition has been filed by the petitioners to call for the records pertaining to S.C.No.124 of 2024 on the file of II Additional District & Sessions Court (PCR), Tirunelveli, for the offences under Sections 294(b), 323, 324 and 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989 in Crime No.236 of 2024 and quash the same as against these petitioners.

2. According to the petitioners, the petitioners and defacto



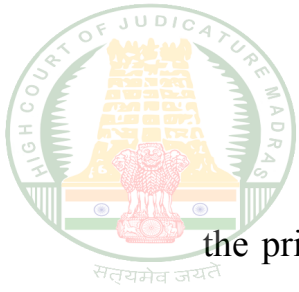
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complainant are known each other. Based on the complaint given by the defacto complainant, the police has registered FIR in Cr.No. 236 of 2024 for the offences under Sections 294(b), 323, 324 and 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989.

3. When the matter was taken up for hearing, the learned counsel on both sides represented that during pendency of the case in S.C.No.124 of 2024, the matter has been amicably settled between the parties and to that effect, they have entered into a compromise and the same was filed before this Court.

4. Today, the defacto-complainant, victim and all the accused are present and the Court enquired about the terms of compromise. The defacto-complainant represented that they entered into a compromise and he has no objection in allowing this petition. A compromise memo, dated nil.01.2025 signed by the parties and their respective counsels, is also filed before this Court.

5.The learned Government Advocate (Crl.Side) would submit that



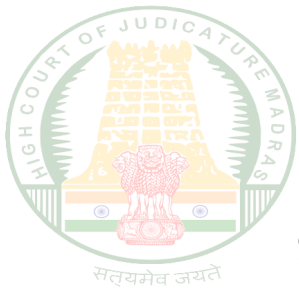
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the private respondents/respondents 3 and 4 have received compensation of Rs.1,87,500. Therefore, they have to return the same since they have entered into compromise.

6. Since this petition is to quash the proceedings pending in S.C.No. 124 of 2024, based on the compromise, this Court has to see whether compromise can be recorded or not and the parties really arrived at settlement. As far as the payment of compensation received by the victim is concerned, it is for the Government to decide in accordance with law.

7. Only because of the matter has been compromised between the parties, it does not mean that the victims have not affected and the scheme to pay compensation is to protect the rights of the victims and for rehabilitation. Therefore, merely because the victims entered into compromise with the accused and the same cannot take away the rights of the victim to get compensation. However, it is for the State to take appropriate steps in accordance with law.

8. This Court has perused the terms of the compromise memo.



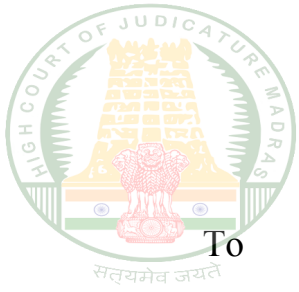
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9. Though the alleged offences are against the society, when the victims voluntarily entered into compromise with the accused, in order to avoid the further enmity and to strengthen the good relationship between the parties and to meet the ends of justice, this Court can invoke the power under Section 528 of BNSS. Once the matter has been settled between the parties, the trial is only an empty formalities and futile exercise. Therefore, this Court is inclined to allow this petition.

10. Recording the said compromise memo, this petition is allowed and S.C.No.124 of 2024 on the file of the II Additional District & Sessions Court (PCR), Tirunelveli, is quashed insofar as these petitioners are concerned.

16.04.2025

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



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To

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- 1.The II Additional District & Sessions Judge.
The II Additional District & Sessions Court (PCR),
Tirunelveli.
2. The Deputy Superintendent Of Police,
Tirunelveli,
Tirunelveli District.
- 3.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

apd

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