



CRL.OP(MD) NO.3499 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.3499 of 2025

1. Ayyampandi
2. Arunkumar
3. Senthoorpandi
4. Arunkumar
5. Dhanushpandi
6. Jeyapandi
7. Vishal Alias Arul Kumar

... Petitioners

Vs

1. The State of Tamil Nadu
Rep. by the Deputy Superintendent of Police
Virudhunagar District.
2. The Inspector of Police
Aviyur Police Station
Virudhunagar District.
(Cr. No. 158 of 2024).
3. Nandhakumar

... Respondents



CRL.OP(MD) NO.3499 of 2025

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records of the pending FIR in Crime No. 158 of 2024, dated 01.11.2024 on the file of the 2nd respondent police and quash the same.

For petitioners : Mr.J.Vijayaraja

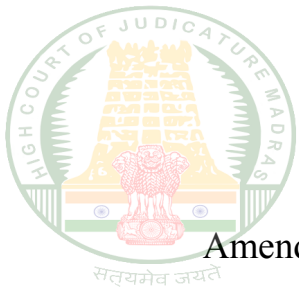
For R1,R2 : Mr. M.Vaikkam Karunanithi
Government Advocate (Crl side)

For R3 : Mr.B.Karthick

ORDER

This petition has been filed by the petitioners to call for the records pertaining to the First Information Report in Crime No.158 of 2024 dated 01.11.2024 on the file of the second respondent police, for the offences under Sections 191(2), 191(3), 118(1) of BNS, Section 125 of TNPPDL Act and Section 3, 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015 and quash the same.

2. According to the petitioners, the petitioners and defacto complainant belong same village. Based on the complaint given by the defacto complainant, the police has registered FIR in Crime No.158 of 2024 dated 01.11.2024 on the file of the second respondent police, for the offences under Sections 191(2), 191(3), 118(1) of BNS, Section 125 of TNPPDL Act and Section 3, 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA)



CRL.OP(MD) NO.3499 of 2025

Amendment Act, 2015.

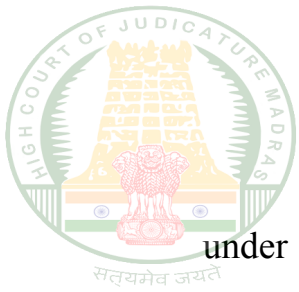
WEB COPY

3. When the matter was taken up for hearing, the learned counsel on both sides represented that during pendency of the case, 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. The defacto-complainant and the petitioners are present and this Court enquired about the terms of compromise. The defacto-complainant represented that they entered into a compromise as they are close relatives and he has no objection to quash the FIR. A compromise memo, dated 05.03.2025 signed by the parties and their respective counsel, is also filed before this Court.

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

6. 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



CRL.OP(MD) NO.3499 of 2025

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.

7. Recording the said compromise memo, this petition is allowed and considering the nature of the offences, it is a case and case in counter and the relationship between the parties, the First Information Report in Crime No.158 of 2024 dated 01.11.2024 on the file of the second respondent police is quashed insofar as the petitioners are concerned.

18.03.2025

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

To

1.The Deputy Superintendent of Police
Virudhunagar District.

2. The Inspector of Police
Aviyur Police Station
Virudhunagar District.
(Cr. No. 158 of 2024).

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



WEB COPY



CRL.OP(MD) NO.3499 of 2025

P.DHANABAL,J

PNM

ORDER IN
CrI.OP(MD) No.3499 of 2025

18.03.2025