



CRL.OP(MD) NO.4851 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.4851 of 2025

P.Sanjay

... Petitioners/Sole accused

Vs.

1.The State
rep. by Inspector of Police
Samayanallur Police Station
Madurai District.
Crime No.16 of 2025

2.S.Bharathi

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records relating to FIR in Crime No.16 of 2025 dated 26.01.025 for the alleged offences under Sections 308(4) and 351(3) of BNS and 25(1)(a) of ARMS Act, 1959 on the file of the first respondent police and quash the same as illegal.

For petitioner :Mr.P.Muthu Mangaleswaran

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)



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For R2

: Mr.Sreenivasan

ORDER

This petition has been filed by the petitioner to call for the records pertaining to the FIR in Crime No.16 of 2025 dated 26.01.025 for the alleged offences under Sections 308(4) and 351(3) of BNS and 25(1)(a) of ARMS Act, 1959 on the file of the first respondent police and quash the same.

2. When the matter was taken up for hearing, the learned counsels for the defacto complainant would submit that the defacto complainant did not give any complaint against the petitioner. However, the learned counsel on both sides would submit that 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.

3. The learned Government Advocate (Crl.Side) for the respondent police strongly opposes on the ground that the petitioner has four previous cases.



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4. The defacto-complainant and the accused are present and this Court enquired about the terms of compromise. The defacto-complainant represented that they entered into a compromise and he has no objection to quash the FIR. A compromise memo, dated 17.03.2025 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. Considering the nature of the offences and the fact that the defacto complainant himself denied the complaint given by him and they have also entered into a compromise, it is appropriate to allow this petition.

7. Recording the said compromise memo, this petition is allowed and the First Information Report in Crime No.16 of 2025 dated 26.01.2025 on the file of the first respondent police is quashed.

17.03.2025

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



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1.The Inspector of Police
Samayanallur Police Station
Madurai District.

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



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P.DHANABAL,J

apd

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