



CRL.OP(MD) NO.6368 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 07.04.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.DHANABAL**

CRL. O.P(MD) No.6368 of 2025

1.Muthukumar  
2.Balaji @ Bala Supramanian  
3.Saravanan @ Saravanakumar

... Petitioners

**Vs.**

1.The Deputy Superintendent of Police,  
Thiruchendur,  
Thoothukudi district.  
(Crime No.61 of 2025)

2.The Inspector of Police,  
Arumuganeri Police Station,  
Thoothukudi District.  
(Crime No.61 of 2025)

3.Udayakumar

...Respondents

**PRAYER:** Criminal Original petition has been filed under Section 528 of BNSS, to call for the records relating to the FIR registered in Crime No.61 of 2025 pending on the file of the respondent police and quash the same as the matter is amicably settled between the parties.



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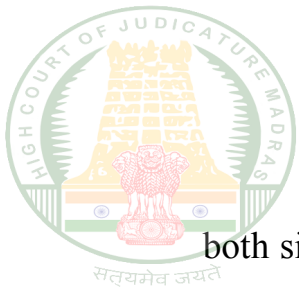
For Petitioners : Mr.I.Sriharisuriya  
For R1 & R2 : Mr.M.Vaikkam Karunanithi  
Government Advocate (Crl.Side)  
For R3 : Mr.R.Ramanujam

### **ORDER**

This petition has been filed by the petitioners to call for the records relating to the FIR registered in Crime No.61 of 2025 on the file of the second respondent for the offences under Sections 329, 118(1), 296(b), 351(3) of BNS and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 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.61 of 2025 for the offences under Sections 329, 118(1), 296(b), 351(3) of BNS and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989.

3. When the matter was taken up for hearing, the learned counsel on



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both sides represented that during pendency of the case in Crime No.61 of 2025, 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 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 as they belong to same village and he has no objection in allowing this petition. A compromise memo, dated 07.01.2025 signed by the parties and their respective counsels, is also filed before this Court.

5.The learned Government Advocate (Crl.Side) would submit that the private respondents have received compensation. Therefore, they have to return the same since they have entered into compromise.

6. Since this petition is to quash the FIR in Crime No.61 of 2025, 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



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the Government to decide in accordance with law.

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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.

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.



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10. Recording the said compromise memo, this petition is allowed and FIR in Crime No.61 of 2025 on the file of the second respondent, is quashed.

**07.04.2025**

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

To

1.The Deputy Superintendent of Police,  
Thiruchendur,  
Thoothukudi district.

2.The Inspector of Police,  
Arumuganeri Police Station,  
Thoothukudi District.

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



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**P.DHANABAL,J**

apd

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**07.04.2025**