



CRL.OP(MD) NO.6636 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.6636 of 2025

and

CRL M.P(MD) No.4845 of 2025

G.Saravanan

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by, the Deputy Superintendent of Police,
Srivaikundam Sub Division,
Srivaikundam,
Thoothukudi District.

2. The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Eral Police Station,
Eral, Thoothukudi District.

3. V.Balamurugan

...Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS, to call for the records relating to the FIR in Cr.No.152 of 2025 on the file of the second respondent police and to quash the same.



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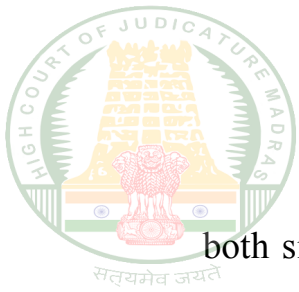
For Petitioner : Mr. K. Muthurakkan
For R1 & R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)
For R3 : Mr.K.Muthurakkan

ORDER

This petition has been filed by the petitioner to call for the records relating to the FIR registered in Crime No.152 of 2025 on the file of the second respondent for the offences under Sections 296(b), 351(3) and 3(5) of BNS and Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989 and quash the same.

2. According to the petitioner, the petitioner and defacto complainant belong same village. Based on the complaint given by the defacto complainant, the police has registered FIR in Crime No.152 of 2025 for the offences under Sections 296(b), 351(3) and 3(5) of BNS and Sections 3(1)(r) and 3(1)(s) 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.152 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 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 25.04.2025 signed by the parties and their respective counsels, is also filed before this Court.

5.The learned Government Advocate (CrI.Side) would submit that if the third respondent received compensation, he has to return the same since they have entered into compromise.

6. Since this petition is to quash the FIR in Crime No.152 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.152 of 2025 on the file of the second respondent, is quashed. Consequently, connected miscellaneous petition is closed.

29.04.2025

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

To

1.The Deputy Superintendent of Police,
Srivaikundam Sub Division,
Srivaikundam,
Thoothukudi District.

2. The Inspector of Police,
Eral Police Station,
Eral,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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