



Crl.O.P(MD)No.22287 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.22287 of 2025

1.Muniyandi
2.Sudhakar
3.Muthuraja

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by the Inspector of Police,
Perungudi Police Station,
Madurai District.
(Crime No.106 of 2021)

... Respondent/Complainant

2.Mukkayi

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the Charge Sheet in C.C.No. 230/2021, pending on the file Learned Judicial Magistrate, Tirumangalam, Madurai District and quash the same as illegal as against the petitioners.

For Petitioner : Mr.M.Alaudheen

For R1 : Mr.S.Ravi
Government Advocate (Crl. side)

For R2 : Mr.V.Sundararaj



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ORDER

Seeking to call for the records in C.C.No.230 of 2021 on the file of the Judicial Magistrate, Thirumangalam, Madurai, this criminal original petition is filed.

2. When the matter came up for hearing, the learned counsel for the petitioner and the learned counsel for the 2nd respondent submitted that the parties have entered into a compromise and the petitioners have returned back the stolen goats as well as the value of the goats and sought for the indulgence of his Court permitting them to compromise the matter.

3. However, the learned Additional Public Prosecutor strongly condemned permitting such a compromise, because encouraging any act of theft in local villages and thereafter, letting the matter to compromise, that cannot be done for the sake of the society. Because the same will have strong implication on the welfare of the society. That apart, if this is compromised, the thieves will develop a strong mind to



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commit the offense again and again and since it is a matter of theft, the compromise did not be permitted considering the welfare of the state and the social well-being of the people of the villages.

4. Heard the learned counsel on either side and perused the materials available on record.

5. This Court is of the considered view that in offenses of theft, the matters cannot be allowed to compromise, though the learned counsel for the petitioner contended that the petitioners do not have any other criminal antecedent.

6. In view of the admission made by the petitioners, I am not inclined to permit compromise or quash C.C.No.230 of 2021. Therefore, this Criminal Original Petition is dismissed.

08.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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L.VICTORIA GOWRI, J.

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To

- 1.The Inspector of Police,
Perungudi Police Station,
Madurai District.
- 2.The Judicial Magistrate,
Tirumangalam, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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