



Crl.OP(MD)No.22813 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 27.02.2026

PRONOUNCED ON : 30.04.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD) No.22813 of 2025

1. G. Rajesh @ Rajeshkumar
2. S. Vijay @ Vijayakumar

... Petitioners / Accused Nos.1 and 2

Vs.

1. The State of Tamil Nadu,
rep. by the Deputy Superintendent of Police,
Karaikudi Taluk, Sivagangai District.
2. The State of Tamil Nadu,
rep. by the Inspector of Police,
Somanathapuram Police Station,
Sivagangai District.
(Crime No.25 of 2018)
3. Amuthan @ Chithiravelu
4. The Chief Secretary,
State of Tamil Nadu,
Fort St. George, Chennai.
5. The Principal Secretary to Government,
School Education Department,
State of Tamil Nadu,
Fort St. George, Chennai.

... Respondents

... Respondents 4 and 5



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(Respondents 4 and 5 are suo-motu impleaded vide Court order dated made in Crl.O.P.(MD)No.22813 of 2025)

PRAYER: Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to Spl.S.C.No.8 of 2020 on the file of the Additional District and Sessions Court for Exclusive Trial of PCR Act Cases, Sivagangai, and to quash the same.

For Petitioners : Mr. N. Ananda Kumar

For R1 & R2 : Mr. M. Sakthi Kumar,
Government Advocate (Crl. Side)

For R3 : Mr. S. Paul Murugan

For R4 & R5 : Mr. M. Muthu Manickam,
Government Advocate

ORDER

Preface:

The present Criminal Original Petition, though ostensibly one for quashment on the basis of compromise, raises concerns of far greater constitutional and social significance. The incident which gave rise to the prosecution is not a mere altercation between private individuals, nor is it a dispute concerning purely personal rights. It



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concerns an act alleged to have been committed against the image and memory of Dr. B.R. Ambedkar, one of the principal architects of modern India, the Chairman of the Drafting Committee of the Constitution, and a statesman whose intellectual labour, moral courage and relentless commitment to social justice helped shape the democratic conscience of this Republic.

2. This Court is therefore called upon to decide not merely whether a criminal proceeding can be brought to a close on account of a subsequent settlement, but also how the law ought to respond when an act born out of ignorance, prejudice or insensitivity touches upon the constitutional values embodied by a national leader of unparalleled stature. The exercise of jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, must therefore be informed not only by precedent on compromise quash petitions, but also by the Court's solemn obligation to uphold constitutional morality, social harmony and civic education.

3. This matter has, therefore, been dealt with by this Court in a manner which is not merely adjudicatory, but also reformative. The



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order earlier passed on 19.12.2025 was consciously structured to test whether remorse expressed by the petitioners was genuine, whether they were willing to transform ignorance into awareness, and whether their repentance was real and meaningful. On the subsequent date of hearing, namely 23.01.2026, this Court verified such compliance in substance and not in form, and only thereafter proceeded to consider the compromise and the prayer for quashment.

The case of the prosecution:

4. The prosecution case, in brief, is that the third respondent / *de-facto* complainant, one Amuthan @ Chithiravelu, is the Town Secretary of Viduthalai Siruthai Katchi, Devakottai. According to him, while commemorating the birthday of Dr. B.R. Ambedkar, posters bearing the photograph of Dr. Ambedkar were pasted at Pulikuthi Bus Stand.

5. It is alleged that the first petitioner, namely G. Rajesh @ Rajeshkumar, tore one such poster and urinated upon it. The prosecution further alleges that the second petitioner, namely S.



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Vijay @ Vijayakumar, videographed the said act and thereafter circulated the video in a WhatsApp group by name “Nallava Boys Group”.

6. On the basis of the complaint lodged by the *de-facto* complainant, the respondent police registered a First Information Report in Crime No.25 of 2018 on 14.04.2018 for the offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Upon completion of investigation, final report came to be laid, culminating in Spl.S.C.No.8 of 2020 on the file of the learned Additional District and Sessions Judge, Exclusive Court for Trial of PCR Act Cases, Sivagangai.

7. The petitioners have now approached this Court seeking quashment of the said proceedings on the basis of a Joint Compromise Memo entered into between themselves and the *de-facto* complainant.

Grounds for quash:



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8. The petitioners, in their affidavit and in the compromise memo, have raised the following grounds seeking quashment:

(i) that the petitioners are innocent and have been falsely implicated;

(ii) that both sides, at the intervention of elders and family members, have pacified the issue and arrived at an amicable settlement;

(iii) that the *de-facto* complainant has agreed to the quashment of proceedings and has expressed no objection thereto;

(iv) that although the offence is non-compoundable, the inherent jurisdiction of this Court can be invoked in appropriate circumstances to secure the ends of justice; and

(v) that continuation of the proceedings, in view of the compromise, would serve no useful purpose and would result only in prolongation of hardship to all concerned.

Joint compromise memo:

9. The Joint Compromise Memo dated 17.11.2025 discloses that the parties have voluntarily settled their dispute. It records that, during the pendency of trial, elders intervened, both sides sat



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together, and all issues came to be amicably resolved. It also records that the *de-facto* complainant has no objection for quashing the criminal proceedings against the petitioners.

10. Since the offence alleged arises under a special enactment intended to protect vulnerable communities from indignity and oppression, this Court did not consider it appropriate to mechanically record the compromise and immediately terminate the proceedings. Instead, the Court deemed it necessary to examine whether the settlement was genuine, whether the petitioners had understood the gravity of their conduct, and whether the apology tendered by them was born out of real introspection or was merely tactical.

The interim order of this court dated 19.12.2025:

11. When the matter first came up for hearing on 19.12.2025, this Court took note of the compromise entered into between the petitioners and the third respondent/*de-facto* complainant. However, this Court was also informed that the Government had already paid compensation of Rs.50,000/- to the *de-facto* complainant under the



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statutory scheme applicable to offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

12. Since the criminal case itself was sought to be terminated on the basis of a compromise, this Court directed the third respondent to return the said compensation by way of demand draft drawn in favour of “Adi Dravida Welfare, District Collectorate, Sivagangai District” on or before the next date of hearing.

13. This Court thereafter enquired the petitioners as to whether they knew who Dr. B.R. Ambedkar was. Their response revealed that, though they were vaguely aware that he was a legal luminary, they had no real understanding of his life, his scholarship, his role in the making of the Constitution, or his contribution to the liberation of the oppressed and the democratization of Indian society.

14. That disclosure was, to this Court, deeply revealing. It demonstrated that the alleged act, whether born out of malice or immaturity, was at the very least sustained by ignorance of a colossal order. Dr. B.R. Ambedkar cannot be viewed through the



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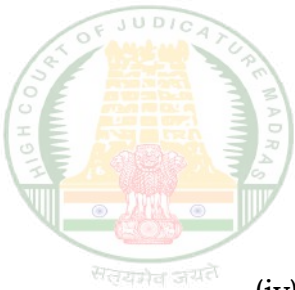
narrow prism of caste sentiment alone. He belongs to the constitutional soul of India. To insult his image is not merely to offend a section of people; it is to exhibit indifference towards the very values of justice, liberty, equality and fraternity on which the Republic is founded.

15. This Court therefore considered it necessary that the petitioners should not escape the criminal process without first undergoing a meaningful encounter with the life and thought of Dr. B.R. Ambedkar. Accordingly, by order dated 19.12.2025, each of the petitioners was directed:

(i) to purchase 101 books each in Tamil on the life history of Dr. B.R. Ambedkar;

(ii) to first read the book themselves and retain one copy each;

(iii) to distribute the remaining 100 copies each to students studying in the 11th and 12th Standards in Murugappa Government Higher Secondary School, T. Kallupatti, and if books remain, to distribute them to students in lower classes beginning from 10th Standard onwards;



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(iv) to obtain acknowledgment from the Headmaster of the said school as proof of compliance;

(v) to read the entire book and remain prepared for an oral test before this Court, so that the Court could satisfy itself that they had truly understood the nobility and contributions of Dr. B.R. Ambedkar; and

(vi) to pay costs of Rs.5,000/- each to the credit of the Adyar Cancer Institute, Chennai.

16. The matter was then directed to be listed on 23.01.2026 for reporting compliance and for further consideration of the compromise.

Compliance recorded on 23.01.2026:

17. When the matter was taken up on 23.01.2026, both petitioners appeared in person before this Court. They produced materials evidencing compliance with the order dated 19.12.2025. Proof was furnished regarding purchase and distribution of books, acknowledgment from the Headmaster of the concerned school, and payment of costs to the Adyar Cancer Institute.



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18. This Court did not stop with documentary compliance. True compliance with the spirit of the earlier order could not have been tested merely by receipts or acknowledgments. The purpose of the direction was reformative and educative. Therefore, this Court conducted an oral test in camera for both petitioners in relation to the life history, scholarship, public service and constitutional contributions of Dr. B.R. Ambedkar.

19. In the said oral test, both petitioners vigilantly participated. They were each asked as many as thirty questions pertaining to the life and work of Dr. Ambedkar. They answered the questions satisfactorily and demonstrated that they had not merely purchased and distributed books as a ritualistic act, but had in fact read and understood the substance of the text.

20. This Court was fully satisfied, upon interacting with the petitioners, that the petitioners, aged about 26 and 29 years respectively, had undergone a genuine process of reflection. Both petitioners, with visible shame and remorse, expressed regret for their ignorance and sought pardon. Their demeanor before this Court



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was not defiant; it was penitential. Their repentance appeared real, and their transformation was evident.

Submissions on either side:

21. The learned counsel appearing for the petitioners submitted that the entire dispute has now been amicably resolved. He contended that the petitioners are young men who acted out of ignorance and immaturity and who have now, after the intervention of this Court, realised the enormity of the act attributed to them. The learned counsel further submitted that the compromise is voluntary, that the *de-facto* complainant has no subsisting grievance, and that the continuance of the trial would serve no useful purpose. He would submit that the petitioners have complied in letter and spirit with the earlier order of this Court and have exhibited genuine remorse and reformation.

22. The learned counsel for the petitioners placed reliance upon the principles governing quashment on the basis of compromise, particularly the decisions of the Hon'ble Supreme Court



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in **Gian Singh v. State of Punjab¹**, **Parbatbhai Aahir v. State of Gujarat²**, and **State of Madhya Pradesh v. Laxmi Narayan³**.

23. The learned Government Advocate (Crl. Side) appearing for respondents 1 and 2 submitted that the offence alleged arises under the SC/ST (Prevention of Atrocities) Act, 1989, and therefore the Court must be circumspect while considering a plea for quashment on the ground of compromise.

24. At the same time, the learned Government Advocate did not dispute that the parties have entered into a compromise and that the petitioners have complied with the directions earlier issued by this Court. He also fairly submitted that the Court may take an appropriate view in the totality of the circumstances.

25. The learned counsel appearing for the third respondent/*de-facto* complainant submitted that the compromise is genuine, voluntary and arrived at without coercion. He affirmed that

1 (2012) 10 SCC 303

2 (2017) 9 SCC 641

3 (2019) 5 SCC 688



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the third respondent does not wish to continue the criminal proceedings and has no objection to the quashment of the same.

Points for consideration:

26. In the light of the above, the following points arise for consideration:

- i. Whether this Court, in exercise of its inherent jurisdiction under Section 528 BNSS, can quash proceedings arising under the SC/ST (Prevention of Atrocities) Act, 1989, on the basis of compromise between the parties?
- ii. Whether, in the facts of the present case, the compromise can be accepted, having regard to the nature of the allegations, the conduct of the petitioners, the compliance of the earlier order dated 19.12.2025, and the societal dimension of the issue?
- iii. Whether the present case warrants any further directions to the State in the larger public interest touching upon civic education and constitutional awareness?



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Governing legal principles:

27. The law relating to quashment of criminal proceedings on the basis of compromise is well settled. In **Gian Singh v. State of Punjab⁴**, the Hon'ble Supreme Court authoritatively held that the inherent power of the High Court under Section 482 Cr.P.C. is of wide amplitude and may be exercised to quash criminal proceedings even in respect of non-compoundable offences, provided the dispute is essentially private in nature and the quashment would secure the ends of justice.

28. The Hon'ble Supreme Court, however, drew a clear distinction between offences which are pre-eminently private or personal in character and those which have serious social overtones or grave impact on society. It was made clear that heinous offences and offences involving serious societal interest cannot ordinarily be quashed merely because the immediate parties have settled the matter.

⁴ (2012) 10 SCC 303



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29. In ***Parbatbhai Aahir v. State of Gujarat***⁵, the Hon'ble Supreme Court crystallised the broad principles governing the exercise of such inherent power. It was emphasised that the High Court must consider whether the continuance of criminal proceedings would be unfair or contrary to the interests of justice and whether the dispute, though criminal in form, is substantially personal in its impact so that the possibility of conviction is rendered remote and bleak.

30. In ***State of Madhya Pradesh v. Laxmi Narayan***⁶, the Hon'ble Supreme Court reiterated the limitations upon the exercise of such power and underscored that the Court must examine the nature and gravity of the offence, the conduct of the accused, the stage of proceedings, and the overall societal ramifications before accepting a compromise as a basis for quashment.

Analysis:

31. At the outset, this Court must observe that the offence alleged in the present case cannot be lightly trivialised. The

⁵ (2017) 9 SCC 641

⁶ (2019) 5 SCC 688



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allegation is not merely that the petitioners damaged private property or insulted an individual in a personal quarrel. The allegation is that the image of Dr. B.R. Ambedkar, displayed in connection with the celebration of his birth anniversary, was desecrated in a deeply offensive manner and that such act was recorded and circulated.

32. An act of that nature, if established, has a social resonance extending beyond the immediate parties. Dr. Ambedkar represents the constitutional promise made by this nation to the historically oppressed. He represents the moral authority of law over graded inequality. He represents the transformative aspiration of a Republic which declared that liberty, equality and fraternity are not abstractions, but governing commitments.

33. This Court is therefore fully conscious that a prosecution of this nature cannot be treated on par with an ordinary private quarrel or commercial dispute. A Court exercising inherent jurisdiction cannot permit the solemnity of the statute to be diluted by routine acceptance of compromise. Such matters demand a more careful judicial response.



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34. It is for that reason that this Court, by order dated 19.12.2025, did not immediately accede to the compromise. The Court first insisted upon restitution of the statutory compensation, educational engagement with the life of Dr. Ambedkar, social dissemination of that knowledge among school students, payment of charitable costs, and proof of actual understanding through oral examination.

35. The significance of this course adopted by the Court lies in the fact that the justice system, particularly when dealing with younger offenders, must not always choose between unreflective punishment on the one hand and unreflective closure on the other. There exists, in appropriate cases, a narrow but valuable reformatory path, one that insists upon accountability, repentance, education and social responsibility as prerequisites to judicial leniency.

36. On 23.01.2026, this Court was fully satisfied that the petitioners had traversed that reformatory path. They complied with the order in substance. They read about Dr. Ambedkar. They distributed books to students. They paid costs. They answered



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questions put to them by this Court. Most importantly, they displayed genuine regret and remorse.

37. This Court is therefore persuaded that the present matter has moved beyond the stage of mere compromise. It has become a case of demonstrable repentance and measurable reformation. The *de-facto* complainant has also chosen reconciliation over retribution. The continuance of trial, in such circumstances, would no longer meaningfully advance the cause of justice.

38. This Court is also of the view that, in the peculiar facts of the present case, the possibility of conviction has become remote and bleak in view of the voluntary settlement and the stand taken by the *de-facto* complainant. The prosecution, though arising from a socially sensitive incident, has, after the intervention of this Court, culminated in a form of accountability that is both educative and restorative.

39. It is therefore appropriate to hold that the present case falls within that rare category where the ends of justice would be



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better served by terminating the proceedings, not because the act alleged is inconsequential, but because the corrective purpose of law has already been substantially achieved.

40. Before parting with the case, this Court is constrained to record certain reflections which arise from the very manner in which the present incident unfolded. In a country which takes pride in being the largest democracy in the world, it is deeply unfortunate that many young minds are not taught, with sufficient seriousness and depth, about the life and contributions of the Father of our Constitution.

41. Dr. B.R. Ambedkar sowed the seeds of democratic modernity in this country. He was not merely the Chairman of the Drafting Committee. He was a jurist of formidable intellect, an economist of rare distinction, a social reformer of unmatched courage, and a nation-builder who transformed centuries of civilisational pain into constitutional hope.



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42. The tragedy of our times lies in the shrinking of such a towering national figure into the cramped confines of caste-based perception. The larger-than-life personality of Dr. Ambedkar is too often reduced to a sectional emblem, when in truth he belongs to the whole nation. He belongs equally to every classroom, every court, every institution of public learning, and every citizen who values dignity under law.

43. The man who relentlessly contributed to the establishment of a State founded upon justice, liberty, equality and fraternity must never be imprisoned within the nooks and corners of public memory, nor confined only to local commemorations guarded against vandalism. A democratic country that fails to impart constitutional wisdom and constitutional morality to its young citizens does not move towards development and empowerment; rather, it gradually shrinks into a society fractured by calculated divisiveness and caste bigotry.

44. Failure of the State to nurture civic understanding among students can have grave consequences. Ignorance breeds prejudice.



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Prejudice normalises indignity. And indignity, if left unchecked, corrodes the foundations of fraternity which alone can sustain constitutional democracy.

45. This Court therefore considers it necessary to remind the State of Tamil Nadu that constitutional literacy is not an ornamental aspiration. It is part of the State's social responsibility. A welfare State cannot confine itself to administration and infrastructure while neglecting civic education, constitutional memory and social ethics.

46. The school system must not teach the Constitution merely as a set of dry institutional facts. It must teach the constitutional journey of India through the lives of those who shaped it. Among them, Dr. B.R. Ambedkar occupies a place of singular eminence. To know him is to understand why the Constitution insists upon equality. To study him is to understand why democracy must be social before it can remain political. To remember him is to remember that the Republic is a moral project, not merely a territorial arrangement.



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47. In that view of the matter, this Court deems it appropriate to *suo motu* implead the Chief Secretary to the State of Tamil Nadu and the Principal Secretary to Government, School Education Department, as respondents 4 and 5 in this Criminal Original Petition, for the limited purpose of issuing broader directions in public interest.

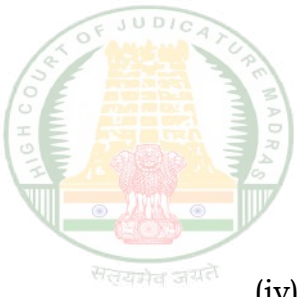
48. Registry is directed to carry out the necessary amendment in the cause title.

49. Respondents 4 and 5 are directed to take necessary policy steps, in accordance with law and administrative feasibility, to introduce appropriate lessons in the Social Science curriculum in the State syllabus, for students from Class III to Class X, on:

(i) the role of Dr. B.R. Ambedkar as Chairman of the Drafting Committee of the Constitution of India;

(ii) his contribution to the constitutional vision of justice, liberty, equality and fraternity;

(iii) his role in the freedom movement and in democratic nation-building; and



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(iv) his scholarly achievements in the fields of economics, law and social thought.

50. The State shall endeavour to give effect to such curricular inclusion from the academic year 2027–2028, subject to pedagogical planning, academic structuring and compliance with all applicable norms. The purpose of the direction is not political glorification, but constitutional education.

51. The State must recognise that social harmony cannot be maintained merely by criminal prosecution after damage is done. It must be cultivated proactively through education, awareness and ethical citizenship. The true tribute to Dr. Ambedkar lies not merely in statues and ceremonies, but in ensuring that every child in this State knows why he matters to India.

Epilogue:

52. Courts are often required to decide whether a prosecution must continue or end. But there are rare occasions when the Court must do something more: it must convert a moment of social



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fracture into an occasion for constitutional reaffirmation. The present case is one such occasion.

53. The petitioners came before this Court as young men accused of a deeply insensitive act. They leave this Court not with an unexamined absolution, but after having been compelled to read, learn, distribute, reflect and repent. The *de-facto* complainant, for his part, has chosen reconciliation. The law, in the peculiar facts of this case, has therefore achieved something beyond punishment; it has achieved understanding.

54. This Court hopes that the petitioners will carry the memory of these proceedings not as a mark of humiliation, but as a lesson in citizenship. It also hopes that the State will heed the larger message embedded in this case: that democracy survives not only by institutions of governance, but by institutions of learning; not only by penal law, but by civic culture; not only by order, but by moral education.



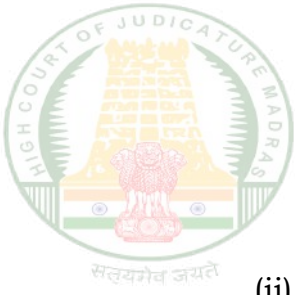
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55. Though this Court is fully aware that it is not for the judiciary to command the State to adopt a particular policy or to dictate, as a matter of compulsion, what must find place in the curriculum of school education, this Court is nevertheless constrained to emphasise that the constitutional value of fraternity cannot be left to chance or to the uncertainties of social transmission. The seeds sown by our Constitution, particularly those of justice, liberty, equality and fraternity, must be consciously nurtured if they are to endure. The time has come for the State to recognise that constitutional literacy is itself a component of social responsibility. For the sake of future India, and for the shaping of young Indians as informed, humane and constitutionally conscious citizens, such measures can no longer be deferred.

56. In the result, this Criminal Original Petition is allowed on the following terms:

(i) The proceedings in Spl.S.C.No.8 of 2020 on the file of the learned Additional District and Sessions Court for Exclusive Trial of PCR Act Cases, Sivagangai, are hereby quashed and the Criminal Original Petition is allowed.



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(ii) The Joint Compromise Memo dated 17.11.2025 shall form part and parcel of this order.

(iii) The compliance already recorded by this Court in respect of the order dated 19.12.2025, including return of compensation, distribution of books, payment of costs, and satisfactory completion of oral interaction before this Court on 23.01.2026, shall stand incorporated into this order.

(iv) The Chief Secretary to the State of Tamil Nadu and the Principal Secretary to Government, School Education Department, are *suo motu* impleaded as respondents 4 and 5, and the directions contained in paragraphs 49 to 53 above shall be complied with in letter and spirit.

(v) Registry shall carry out the amendment in the cause title.

(vi) Post the case for compliance on 21.01.2027 by the 4th and 5th respondents. Respondents 4 and 5 are directed to file an elaborate report as to the steps taken in complying the directions passed by this order on **21.01.2027**.

30.04.2026

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



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To

1. The Deputy Superintendent of Police,
Karaikudi Taluk,
Sivagangai.
2. The State of Tamilnadu,
Rep by the Inspector of Police,
Somanathapuram Police Station,
Sivagangai District.
3. The Chief Secretary,
State of Tamil Nadu,
Fort St. George, Chennai.
4. The Principal Secretary to Government,
School Education Department,
State of Tamil Nadu,
Fort St. George, Chennai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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