



Crl.O.P.(MD)No.1257 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.1257 of 2025

- 1.Musthafa Ali
 - 2.Aynul Yakheen @ Ayas
 - 3.Mohammed Ibrahim @ Usain Ali
 - 4.Basid Ibrahim
 - 5.Hussain Sheriff(Ilkhan)
 - 6.Mahamed Shajuli @ Shajuli Ameer
 - 7.Askanthar Sherif @ Irban
 - 8.Sikkender Ali
 - 9.Attavulla Ibrahim
 10. Shaul Hameed @ Mahaboo Batcha
 - 11.Abdul Khader Ibrahim @ Thubail
 - 12.Mohamed Shazuli @ Aswak
 - 13.Mohammed Fakrudeen @Munir
 - 14.Shahul Hameed
 - 15.Mohamed Ajam
 - 16.Khaleelulla Sheriff @ Khalee
- ... Petitioners

Vs.

The State of Tamil Nadu rep., by

**1.The Inspector of Police,
Thideer Nagar Police station,**



Crl.O.P.(MD)No.1257 of 2025

Madurai District.
(Crime No. 82/2022)

2. Ahamed Ibrahim

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in charge sheet in S.C No. 90 of 2023 on the file of the learned Chief Judicial Magistrate Court, Madurai and quash the same as illegal.

For Petitioner	: Mr.A.Robinson
For R1	: Mr.K.Sanjai Gandhi Government Advocate (Crl.side)
For R2	:Mr. Murugesapandian.P

ORDER

The petitioners have sought for quashing of the final report in S.C No. 90 of 2023 on the file of the learned Chief Judicial Magistrate court, Madurai, for the alleged offences under Sections 147, 148, 294(b), 323, 324, 307, 506 (ii) and 149 I.P.C.

2. The allegation in the final report is that the petitioners waylaid the defacto complainant and his son and abused them in filthy language and attacked them and caused injuries and thus committed the offence.



Crl.O.P.(MD)No.1257 of 2025

3. The learned counsel for the petitioner and the learned counsel for the defacto complainant/the second respondent would submit that the parties have now entered into a compromise and both the parties have agreed that the impugned final report may be quashed.

4. The petitioners and the second respondent / defacto complainant have also filed a joint compromise memo dated 22nd August 2025 and the scanned copy of the compromise memo reads as follows:



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Crl.O.P.(MD)No.1257 of 2025

IN THE HIGH COURT OF JUDICATURE MADRAS
MADURAI BENCH
(Criminal Original Jurisdiction)

Crl.O.P. (MD) No.1257 of 2025

against

S.C. No. 90 of 2023

(On the file of the Learned Chief Judicial Magistrate Court,
Madurai)

1. Musthafa Ali (M/73),
S/o Mohammed Sikkandar,
Door No.64, Kajimar Street 1st Lane,
Madurai.
2. Aynul Yakhcen @ Ayas (M/53),
S/o Ibrahim,
No2, Perumal Kovil East Mada Street,
Madurai.
3. Mohammed Ibrahim @ Usain Ali(M/57),
S/o Moulvi Ibrahim,
Door No.33, Kajimar 3rd Lane,
Madurai.
4. Basid Ibrahim (M/56),
S/o Badurdeen Ibrahim,
No.14, Kajimar 3rd Lane,
Madurai.

1. Musthafa Ali

2. Aynul Yakhcen @ Ayas

3. Mohammed Ibrahim @ Usain Ali

4. Basid Ibrahim

5. Mohammed Ibrahim @ Usain Ali

6. Mohammed Ibrahim @ Usain Ali

7. Aynul Yakhcen @ Ayas

8. Basid Ibrahim

9. Aynul Yakhcen @ Ayas

10. Basid Ibrahim

11. Aynul Yakhcen @ Ayas

12. Basid Ibrahim

13. Aynul Yakhcen @ Ayas

14. Basid Ibrahim

15. Aynul Yakhcen @ Ayas

16. Basid Ibrahim

Defence complaint

Defence complaint

Defence complaint

Defence complaint



Crl.O.P.(MD)No.1257 of 2025

WEB COPY

2

2

5. Hussain Sheriff (Ilkhan) (M/46),
S/o Mohammed Sherbudeen,
Door No.58/28-A, Kajimar 3rd Lane,
Madurai.

6. Mahamed Shajuli @ Shajuli Ameer (M/ 63),
S/o Abdul Lathif,
Door No.13, Kajimar 3rd Lane,
Madurai.

7. Askanthar Sherif @ Irban (M/ 49),
S/o Mohammed Sherif Deen,
Door No.28-A, Kajimar 3rd Lane,
Madurai.

8. Sikkender Ali (M/40),
S/o Musthafa Ali,
Door No.65, Kajimar 1st Lane,
Madurai.

9. Attavulla Ibrahim (M/56),
S/o Mohamed Azam,
No.16, Samiyar Lane,
Kajimar Street,
Madurai.

10. Shaul Hameed @ Mahaboo Batcha (M/48),
S/o Mohammed Yusuf,
Door No.21, Kajimar 3rd Lane,
Madurai.

1. Musthafa Ali

2. Abdul Yaqub
3. Mohammed Ibrahim @ Usain Ali
4. David Ibrahim
5. Hussain Sheriff (Ilkhan)
6. Mahamed Shajuli @ Shajuli Ameer
7. Askanthar Sherif @ Irban
8. Sikkender Ali

9. Attavulla Ibrahim

10. Shaul Hameed @ Mahaboo Batcha
11. Abdul Khader Ibrahim @ Tattai
12. Mahamed Shaul @ Azam
13. Mohammed Fakruddeen @ Wazir
14. Shaul Hameed
15. Mahaboo Batcha
16. Khalid Sherif @ Raza

(to be completed)

1/2/2025 of the copy of



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Crl.O.P.(MD)No.1257 of 2025

3

11. Abdul Khader Ibrahim @ Thubail (M/22),
S/o Sulthan Muhiudeen,
Door No.49, Kajimar 3rd Lane,
Madurai.

12. Mohamed Shazuli @ Aswak (M/64),
S/o Niyamath Ibrahim,
Pallivasal Lane,
Madurai.

13. Mohammed Fakrudeen @ Munir (M/34),
S/o Sikkandar Alam,
96/A, Arulperum Jothi Nagar,
Madakulam Main Road,
Palanganatham,
Madurai.

14. Shahul Hameed (M/31),
S/o Mohamed Jainulabudeen,
Door NO.23, Kajimar Street,
Chavadi 3rd Lane,
Madurai.

15. Mohamed Ajam (M/33),
S/o Athavulla Ibrahim,
Door No.16/04, Kajimar street,
Samiyar Lane,
Madurai.

1. Mushafa Ali

2. Ayad Yabbea @ Ayas

3. Mohamed Ibrahim @ Usain Ali

4. Basil Ibrahim

5. Hussain Sherif (Ikhan)

6. Mohamed Shazuli @ Shazuli Ameer

7. Mohamed Shazuli @ Ibrahim

8. Sikkandar Ali

9. Attarulla Ibrahim

10. Shaul Fawad @ Mahaboo Rascha

11. Abdul Khader Ibrahim @ Thubail

12. Mohamed Shazuli @ Aswak

13. Mohammed Fakrudeen @ Munir

14. Shahul Hameed

15. Mohamed Ajam

16. Mohamed Shazuli @ Shazuli Ameer

17. Mohamed Shazuli @ Ibrahim

18. Sikkandar Ali

Defecto complainant

LW-2 (Sign of Defecto-complainant)



Crl.O.P.(MD)No.1257 of 2025

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16, Khaleelulla Sheriff @ Khalee (M/40),
S/o Burhan,
Door No.25, Kajimar 3rd Lane,
Madurai.

--- Petitioners/Accused Nos.1 to 16

-- Vs --

1. The Inspector of Police,
Thideer Nagar Police Station,
Madurai District.
in Crime No. 82 of 2022

--- 1st Respondent

2. Ahamed Ibrahim (M/47),
S/o Ibrahim,
No.59, Kajimar Street 3rd Lane,
Madurai.

--- 2nd Respondent/
Defacto Complainant

JOINT COMPROMISE MEMO

(1) It is submitted that the charge sheet came to filed by the 1st respondent police and the same was also taken cognizance by the Learned Chief judicial Magistrate, Madurai in S.C.No.90 of 2023 for the alleged offences punishable under sections 147, 148, 294(b), 323, 234, 307, 306[2] and 149 of IPC.

1. Muneer Ali	2. Ahamed Ibrahim
3. Abdul Wahid Khan	10. Shad Hussain @ Shad Hussain
4. Nabeen Khan @ Nabeen	11. Akmal Khader Hussain @ Akmal
5. Nabeen Khan @ Nabeen	12. Nabeen Khan @ Nabeen
6. Hassan Sheriff (Takar)	13. Nabeen Khan @ Nabeen
7. Nabeen Khan @ Nabeen	14. Nabeen Khan @ Nabeen
8. Nabeen Khan @ Nabeen	15. Nabeen Khan @ Nabeen
9. Nabeen Khan @ Nabeen	16. Nabeen Khan @ Nabeen

Defacto Complainant



Crl.O.P.(MD)No.1257 of 2025

WEB COPY

5

(2) The case of the prosecution is that on 17.02.2022 at about 9.40 p.m when the de-facto complainant and his son returning after attending the memorial day of founder of Kajimar Periyapallivasal at that time A1 & A2 waylaid the de-facto complainant and his son and abused them in a filthy language for attending the said memorial day, at that time A3 came with knife and A4, A5, A7, A16 came with wooden lock and A7, A8, A9, A10 came with iron rod and the A11 assaulted the de-facto complainant with iron rod on his forehead and A10 assaulted in the de-facto complainant on his left side head with iron rod and he fell down when the son of the de-facto complainant attempted to rescue him he was also assaulted by the A10 on the forehead of the son of the de-facto complainant and A12 assaulted with iron rod on left side head. And A1, A2, A9, A13, A14, A10 kicked them with their legs while so, A3 attempt to cut the de-facto complainant he ran away from the scene of occurrence with the above allegations charge sheet came to filed by the 1st respondent police and the same was also taken cognizance by the Learned Chief Judicial Magistrate, Madurai in S.C.No.90 of 2023 for the alleged offences punishable under sections 147, 148, 294(b), 323, 234, 307, 506(2)

1. Muzhath Ali	9. Attorneys Ibrahim	De-facto complainant
2. Ayazul Yakub Ali & Ayaz	10. Shauli Haroon & Valsaloo Basha	
3. Mohammed Ibrahim & Usain Ali	11. Abdul Kader Ibrahim & Thabai	
4. Basil Ibrahim	12. Mohamed Shauki S. Anwar	
5. Hussain Sheriff (Ibrahim)	13. Mohammed Fawzan S. Yous	
6. Mohamed Shauki & Shauki Anwar	14. Shauli Haroon	
7. Akmal Hussain Sheriff & Ibrahim	15. Mohamed Ali	
8. Shauki Ali	16. Shauli Haroon Sheriff & Shauli	



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and 149 of IPC. Originally complaint is given as against 11 persons and others in which only overtact attributed as against A3 to A11 and the A1 and A2 only were standing at the time of occurrence with the above allegations the FIR was given and case is registered Crime no.82 of 2022 by the 1st respondent for the 1st respondent for the alleged offences punishable under sections 147, 148, 294(b), 323, 234, 307 and 506(2) of IPC

(3) There was a dispute with regard to administration of the Kajimar Pallivasal and the petitioners were representing the General public who used to worship in the said Pallivasal and the de-facto complainant party claiming to be a hereditary trustee of the said Pallivasal. When the general public who used to visit and worship said Pallivasal claimed to be inducted as the office bearers of the said Pallivasal, the dispute arose between the both the groups and several cases were registered by the police against the both the groups. Finally, this Hon'ble court passed an order in W.A(MD)Nos.702 & 703 of 2016 in which this Hon'ble court directed the de-facto complainant side to hand over all the accounts to the waqf board and the board was directed to frame the scheme. After the order of this Hon'ble

1. Muthu Ali

2. Aynul Yakheem (A) Aynul

3. Mohammed Ibrahim (A) Usman Ali

4. Bared Ibrahim

5. Hussain Sheriff (Hisham)

6. Mohamed Shajuli (A) Shajuli Amer

7. Aslamulhuj Sheriff (A) Irfan

8. Sakender Ali

9. Amrulla Ibrahim

10. Shaul Hameed (A) Mohdoo Roshan

11. Abdul Kader Ibrahim (A) Thabali

12. Mohamed Shazul (A) Jannat

13. Mohammed Fajruddeen (A) Munir

14. Shaul Hameed

15. Mohamed Iqbal

16. Khakeelulla Sheriff (A) Khakeel

Defacto complainant

17. 2. Shaul Hameed



Crl.O.P.(MD)No.1257 of 2025

WEB COPY

7
court the entire administration of the said Pallivasal was taken by the waqf board and the later the scheme was framed for conducting election and smooth functioning of the said pallivasal.

(4) It is submitted the both the groups agreed to compromise and settled all the disputes among them and accordingly the compromise dated 02.12.2023 was entered between both the groups and both of them compromise the following cases registered by the police.

S.No	Date	FIR Number
1.	14.01.2019	031/2019
2.	28.01.2019	055/2019
3.	27.02.2019	110/2019
4.	28.02.2019	113/2019
5.	28.02.2019	115/2019
6.	01.03.2019	116/2019
7.	27.05.2020	554/2020
8.	11.02.2021	63/2021
9.	02.06.2021	161/2021
10.	02.06.2021	162/2021
11.	19.01.2022	037/2022
12.	20.02.2022	084/2022
13.	20.02.2022	085/2022

1. Mushtaq Ali

2. Arsal Yakheen @ Ayesa

3. Mohammed Ibrahim @ Usain Ali

4. Basid Ibrahim

5. Hassan Sheriff (Ikham)

6. Mohamed Shajuli @ Shajuli Ameer

7. Akbar Sharif @ Irban

8. Sakander Ali

9. Abbas Ali Ibrahim

10. Shaul Hameed @ Marabon Penha

11. Abdul Khader Ibrahim @ Thabail

12. Mohamed Shajuli @ Ameer

13. Mohammed Ferozdeen @ Mune

14. Shaul Hameed

15. Mohamed Ameer

16. Khawarullah Sheriff @ Shaul

Defence complainant

1W-2 (Son of Defence comp)



Crl.O.P.(MD)No.1257 of 2025

WEB COPY

8
As far as this present case is concerned, there was no counter case registered against the rival groups of de-facto complainant and hence, the de-facto complainant did not come forward to compromise this case and several cases have been quashed as the compromise have been entered between both the groups. Being aggrieved over by the registration of the FIR and filing of charge sheet in S.C.No.90 of 2023 on the file of the Chief Judicial Magistrate Court, Madurai the petitioners are preferred the quash petition.

(5) It is submitted that now at the 2nd respondent and his son have come forward to settle this matter amicably with the petitioners and therefore, the joint compromise between the parties must be accepted by this Hon'ble Court.

(6) It is submitted that injuries sustained by the defacto complainant and son are simple in nature and the Defacto complainant and his son with their free-will has agreed for settlement and hence, the compromise is achieved between the parties.

(7) The 2nd respondent has no objection to quash the charge sheet in S.C.No.90 of 2023 on the file of the Chief Judicial Magistrate Court, Madurai.

1. Muthaiah A/L	9. Alimulla Ibrahim	Defacto complainant
2. Abdul Zakaria A/L Anas	10. Shari Hassan A/L Mohamed Hameed	
3. Mohamed Ibrahim A/L Duffi Ali	11. Abdul Karim Ibrahim A/L Ibrahim	DA-2 (Son of Defacto complainant)
4. David Ibrahim	12. Mohamed Shams A/L Anas	
5. Mohamed Ibrahim A/L	13. Mohamed Mohamed A/L Hassan	
6. Mohamed Ibrahim A/L	14. Abdul Ibrahim	
7. Mohamed Ibrahim A/L	15. Mohamed Ibrahim	
8. Mohamed Ibrahim	16. Mohamed Ibrahim A/L Hassan	

M. S. Ibrahim



Counsel for the Petitioners

6.The petitioners are present; the second respondent / defacto complainant (Aadhaar No.3637 5986 9074) and one of the victim, viz., Mr.Hasan Ibrahim (Aadhaar No.2533 4649 4310) are present before this



Crl.O.P.(MD)No.1257 of 2025

Court in person. They were identified by Mr.N.Kumar, Special Sub Inspector of Police, Thideer Nagar Police Station, Madurai District. All the parties confirmed the compromise arrived at between them.

7. In view of the compromise arrived at between the parties, the nature of allegations and the relationship between the parties, this Court is of the view that no useful purpose will serve in keeping the impugned final report pending in the trial Court. Accordingly, the final report is quashed and this Criminal Original Petition is allowed.

17.09.2025

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

To

1.The Inspector of Police,
Thideer Nagar Police station,
Madurai District.

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



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Crl.O.P.(MD)No.1257 of 2025

SUNDER MOHAN, J.

PJL

Crl.O.P(MD)No.1257 of 2025

17.09.2025