



Crl.O.P(MD)No.3425 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.3425 of 2025

Sakthikumar

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(In Crime No. 42 of 2021).

2. Vasudevan

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to call for the records pertaining to in C.C. NO. 6 of 2025 on the file of Judicial Magistrate, Paramakudi, Ramanathapuram District in Crime NO. 42 of 2021, U/s. 147, 148, 294(b), 323, 506(ii) of IPC dt. 09.01.2025 and Quash the same as illegal.

For Petitioner : Mr.R.Tamilvanan

For Respondents : Mr.M.Sakthi Kumar (R1)
Government Advocate (Crl.Side)
Mr.C.Venkatesh (R2)



ORDER

This petition has been filed by the petitioner to call for the records pertaining to C.C.No.6 of 2025 on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District for the offences under Sections 147, 148, 294(b), 323, 506(ii) of IPC, in Crime No.42 of 2021 and quash the same.

3. According to the petitioner, the petitioner and defacto complainant are neighbours. Based on the complaint given by the defacto complainant, the police has registered FIR in Cr.No. 42 of 2021 for the offences under Sections 147, 148, 294(b), 323, 506(ii) of IPC as against the petitioner and others. After completion of investigation, final report has been filed before the concerned Court and the same was taken on file as CC No.6 of 2025. The petitioner is arrayed as A5 in this case.

4. When the matter was taken up for hearing on 19.03.2025, both the learned counsels represented that the matter has been settled between the parties and in that regard, they have filed a compromise memo. Both the petitioner and defacto complainant were appeared before this Court. This Court has also enquired about the compromise and both



parties have represented that they have entered into compromise. Particularly, the second respondent /defacto complainant represented that he had entered into compromise and he has no objection to quash the case pending against the petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that the second respondent is the defacto complainant and he entered into compromise with the petitioner. However, wife of the second respondent has also sustained injury in this case, but she has not been added as a party to the proceedings. Hence, prays to dismiss the petition.

6.In view of the aforesaid submission, this Court adjourned the matter today.

7.In the order, dated 19.03.2025, this Court instead of recording the name of victim as Gowsalya, inadvertently mentioned as Mariammal. On perusal of materials, there is no witness in the name of Mariammal and the wife of defacto complainant is one Gowsalya, who is one of the injured witness in this case.



8. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner filed an affidavit of the wife of the defacto complainant, viz., Gowsalya.

9. This Court also perused the affidavit filed by the said Gowsalya. It is seen that the victim has not sustained any grievous injury and she has no objection to quash the proceedings. A compromise memo, dated 13.03.2025 signed by the parties and their respective counsels, is also filed before this Court.

10. This Court has perused the terms of the compromise memo.

11. Considering the nature of the offences, the relationship between the parties and the parties have also entered into a compromise, this Court is inclined to accept the compromise.



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12. Recording the said compromise memo, this petition is allowed and C.C.No.6 of 2025 on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District is quashed insofar as the petitioner is concerned.

04.04.2025

Internet :Yes

Index :Yes/No

NCC :Yes/No

PNM

To

1.The Judicial Magistrate, Paramakudi, Ramanathapuram District

2.The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.

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



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P. DHANABAL, J.

PNM

ORDER IN
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