



Crl.O.P.(MD) No.15847 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.15847 of 2024

and

Crl.M.P.(MD) Nos.9998 & 9999 of 2024

1.Sheik Dawood

2.Abuthahir

3.Abubakar

... Petitioners

Vs.

1.State of Tamil Nadu

Rep. by the Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.17 of 2023)

2.Inba Kubendran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1971/Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for records pertaining to the charge sheet in C.C.No. 303 of 2024 on the file of the learned Judicial Magistrate No.I, Madurai and quash the same as illegal.



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For Petitioners : M/s.H.Jasima Yasmin
for M/s.Ajmal Associates

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R2 : Mr.S.Senthil Kumar

ORDER

This Criminal Original Petition has been filed seeking to quash the final report in C.C.No.303 of 2024 on the file of the learned Judicial Magistrate No.I, Madurai, filed against the petitioners for the offences punishable under Sections 406, 420 and 506(1) of the Indian Penal Code, 1860.

2. The allegation in the final report is that the first petitioner is a land broker and the second petitioner is his son-in-law; that the second respondent/defacto complainant approached the first petitioner for purchase of a land; that there was an unregistered agreement between them for the sale of the property belonging to one Thiruganavalli; that the second respondent/defacto complainant paid a sum of Rs.12,00,000/- as



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advance on the date of the agreement, and further sums of Rs.3,00,000/-

on 17.08.2018 and Rs.10,00,000/- on 22.08.2018 to the first petitioner;

that thereafter, the first petitioner handed over possession of the property to the second respondent/defacto complainant, who put up a shed thereon for business purposes; that the said Thiruganavalli executed a power of attorney in favour of the second petitioner, at the instance of the first petitioner; that thereafter, the first and second petitioners further received a sum of Rs.20,00,000/- from the second respondent/defacto complainant for execution of the sale deed; and that, however, without the knowledge of the second respondent/defacto complainant, they sold the property to the third petitioner, thereby committing the aforesaid offences.

3. Admittedly, there were certain transactions relating to the purchase of land. The parties have now entered into a compromise and decided to give a quietus to the entire dispute. The parties have filed a joint compromise memo dated 07.07.2025. The scanned copy of the compromise memo reads as follows:



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

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In

C.C.303 of 2024

(On the file of the Judicial Magistrate, No.1, Madurai)

1. Sheik Dawood, (Age 66/2025)
S/o. Abdul Jafar,
No. 40F New Lake area,
Mankatti Theppakulam,
Melur,
Madurai District.
2. Abuthahir (Age 44/2025)
S/o. Mohammed Ali Jinna,
No. 33/26 Thiruvalluvar Nagar,
Sivagangai Road,
Melur,
Madurai District.
3. Abubakar (Age 27/2025)
S/o. M.Jahir Hussain,
No. 23/12 South Street,
A.Vallalapatty,
Melur,
Madurai District.

.... Petitioners/ Accused No.1 to 3

Petitioners

2nd respondent/Defacto complainant

1. A. Steeniyaraj

2. M. Buttanis

3. J. Aschey

Counsel for petitioners

For Ajmal Hassan

1. [Signature]

Counsel for 2nd respondent

1653/03.
G.S. Senthil Kumar.

msno : 1653/03.



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Vs

1. The State of Tamil Nadu Rep.by
The Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.17 of 2023) ...1st Respondent/Complainant
2. Inba Kubendran, (Age 39/2025)
S/o. Veeranan,
Plot No. 85, Maharani street,
Valar nagar,
Uthangudi,
Madurai District.
... 2nd Respondent/Defacto Complainant

MEMO OF COMPROMISE

1. It is submitted that the present Criminal Original petition is filed before this Hon'ble Court to calling for the entire records relating to the Charge Sheet in C.C.No.303/2024 on the file of the Judicial Magistrate, No.1, Madurai and quash the same. The 1st respondent police had registered the FIR in Crime No. 17 of 2023 for offences U/s.406, 420 & 506(1) of IPC against the petitioners and filed

Petitioners

2nd respondent/Defacto complainant

1. *A. Senthil Kumar*

2. *M. Senthil Kumar*

3. *S. Senthil Kumar*

S. Senthil Kumar
Counsel for petitioners
For Ajmal Associates

1. *G. Senthil Kumar*

G. Senthil Kumar
Counsel for 2nd respondent
1653/03
G. Senthil Kumar (1653/03)



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the charge sheet and the same was taken on file in C.C.No.303/2024 on the file of the Judicial Magistrate, No.1, Madurai and based on the complaint given by the 2nd respondent.

2. It is submitted that the petitioners and the 2nd respondent are belonged to the same locality. Due to the advice of the well wishers, the petitioners are agreed to register the sale deed in favour of the 2nd respondent. For which, the petitioners and the 2nd respondent entered into a sale agreement dated 03.08.2018. they had amicably settled the issue through compromise deed entered between the petitioners and the 2nd respondent dated 04.07.2025. Hence, the defacto complainant is not interested to proceed the above case. So, it is just and necessary to quash the proceedings pending in C.C.No.303/2024 on the file of the Judicial Magistrate, No.1, Madurai. Therefore, the 2nd respondent did not want to proceed further the above Criminal case.

Petitioners

2nd respondent/Defacto complainant

1. A. Stein Aray

2. M. Arthanis

3. S. S. S. S.

Counsel for Petitioners
For Ajmal Associates
11/7/24

Counsel for 2nd respondent
G. S. Senthil Kumar (1653/03)



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3. It is further submitted that the the 2nd respondent/defacto complainant agreed to not proceed further in the above criminal case. The 2nd respondent and also admitted to quash the impugned charge sheet C.C.No.303/2024 on the file of the Judicial Magistrate, No.1, Madurai.

4. To that effect, the petitioner and the 2nd respondent are hereby filing this joint compromise memo.

Therefore, it is prayed that this Hon'ble Court may be pleased to accept the joint compromise memo and quash the proceedings in C.C.No.303/2024 on the file of the Judicial Magistrate, No.1, Madurai and thus render justice.

Dated at Madurai on this 07th day of July, 2025

Petitioners

2nd respondent/Defacto complainant

1. A. Senthil Kumar

2. M. Senthil Kumar

3. S. Senthil Kumar

Counsel for petitioners

[Signature]
for Anil Associates

Counsel for 2nd respondent

[Signature]
ms.no.1453/03



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4. The petitioners, namely, (1) Sheik Dawood, (2) Abuthahir, and (3) Abubakar and the second respondent/defacto complainant, namely, Inba Kubendran are present before this Court in person. The parties are identified by Mr.S.Selvaraj, Special Sub Inspector of Police, District Crime Branch-I, Madurai. All the parties confirmed the compromise arrived at between them.

5. In view of the same, considering the nature of the offences and the relationship between the parties, this Court is of the view that no useful purpose would be served by keeping the impugned final report pending trial. Accordingly, the impugned final report in C.C.No.303 of 2024 on the file of the learned Judicial Magistrate No.I, Madurai, is quashed.

6. Hence, this Criminal Original Petition stands allowed. Consequently, the connected Miscellaneous Petitions are closed.

23.09.2025

JEN
Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order



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- 1.The Judicial Magistrate No.I,
Madurai.
- 2.The Inspector of Police,
District Crime Branch,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

JEN

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