



CRL OP(MD). No.15653 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19.09.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.OP(MD). No.15653 of 2025

1. Pandi @ Periyapandi
2. Ramesh
3. Ammaiyappan

... Petitioners

Vs.

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
Crime No. 110/2023..

2. Murugan

... Respondents

PRAYER :- Criminal Original Petition filed under Section 528 of BNSS/482 Cr.P.C., to call for the records pertaining to the case in C.C.No. 96 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kariapatti, Virudhunagar District and quash the same as illegal.

For Petitioners : Mr.K.Murugan.

For Respondents : Mr.K.Sanjai Gandhi,

Government Advocate (Crl.Side) for R1

: Mr.A.Karthigaivel for R2



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ORDER

The petitioners seek to quash the final report in C.C.No. 96 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kariapatti, Virudhunagar District, which was filed for the offences under Section 324 IPC.

2. The allegation in the final report is that there was a wordy quarrel between the parties, the petitioners attacked the defacto complainant and thus, committed the aforesaid offence.

3. Admittedly, the petitioners and the second respondent belong to the same village and they 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 Nil July 2025 and the scanned copy of the compromise memo reads as follows:



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**IN THE HIGH COURT OF JUDICATURE AT MADRAS,
MADURAI BENCH.**

(Criminal Original Jurisdiction)

Crl.O.P.(MD)No. 15653 of 2025.

Against

C.C.No.96 of 2024.

**(On the file of the Learned District Munsif Cum Judicial
Magistrate, Kariyapatti, Virudhunagar District)**

1. Pandi @ Periyapandi (M/63),
S/o. Ramu Thevar,
Arasakulam,
Kariyapatti Taluk,
Virudhunagar District.
2. Ramesh (M/29),
S/o. Pandi @ Periyapandi,
Arasakulam,
Kariyapatti Taluk,
Virudhunagar District.
3. Annaiyappan (M/35),
S/o. Pandi @ Periyapandi,
Arasakulam,
Kariyapatti Taluk,
Virudhunagar District. Petitioners/Accused No.1 to 3.

--Vs--

1. State rep. by
The Inspector of Police,
Aivur Police Station,
Virudhunagar District,
(In Crime No.110 of 2023) --1st Respondent/Complainant.
2. Murugan,
S/o. Veerapathirathevar,
Nagantenthal,
Mustakurichi Panchayat,
Kariyapatti Taluk,
Virudhunagar District. --2nd Respondent/Defacto Complainant.

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1. The Petitioners respectfully submit that they have filed this Criminal Original Petition praying this Hon'ble Court to quash the proceedings in C.C.No.96 of 2024 on the file of the Learned District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District.

2. The Petitioners respectfully submits that the defacto complainant lodged the complaint against this Petitioners before the 1st Respondent Police and the same was registered a case in Crime No.110 of 2023 for the alleged offence under Sections 324 of I.P.C. dated 06.09.2023. Without proper enquiry, the 1st Respondent had filed the charge sheet on the file of the Learned Judicial Magistrate No.II, Virudhunagar and the same was numbered as C.C.No.67 of 2024 for the offence under Section 324 of I.P.C. against the Petitioners and the same was transferred to the Learned District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District in turn the same was numbered as C.C.No.96 of 2024. Totally there are 3 Accused in this case, the Petitioners have been arrayed as Accused No.1 to 3.

3. The Petitioners respectfully submits that the alleged case of the prosecution is that the defacto complainant and the Accused persons belongs to same Village and also they are neighbouring land owners. On 05.09.2023 at about 06.30 a.m., the defacto complainant had gone to his land for some agricultural use, where the Accused persons used

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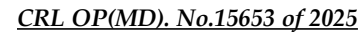
some pesticides drugs in their crops in their land, some pesticides spread over in the land of the defacto complainant and the same was questioned by the defacto complainant. At that time, the altercation arose between them. Due to altercation, all the three Accused persons assaulted the defacto complainant on his head with iron rod and sustained injuries, for which the defacto complainant went to the Police Station and lodged the complaint. On the basis of the complaint, the F.I.R. has been registered in Cr.No.110 of 2023 for the alleged offence under Sections 324 of I.P.C.

4. The Petitioners respectfully submits that the place of occurrence which projected by the defacto complainant is not proved, because according to the complaint, the place of occurrence which is stated by the defacto complainant, that which is in his agricultural land, but according to Mahazar and Sketch, which clearly disclosed that the place of occurrence is in front of the house of the defacto complainant.

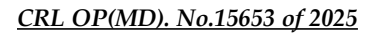
5. The Petitioners respectfully submit that though the Petitioners are innocent and the criminal proceedings are an abuse of process of law, they have compromised between them at the instance of family and Village elders for the purpose of harmony and family welfare.

6. The Petitioners respectfully submit that there is no prima-facie case for continuance of criminal prosecution after the recording of evidence adduced by the 2nd

1. *[Signature]*
2. *[Signature]*
3. *[Signature]*



1. P. N. P. N. 19
2. P. N. P. N. 19
3. P. N. P. N. 19



Dated at Madurai this the day of July 2025.

2nd Respondent/Defacto complainant.

Counsel for Petitioners.

Counsel for 2nd Respondent.



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4. The petitioners and the second respondent (Aadhaar No.5990 4775 1490) are present before this Court in person. They are identified by Mr.S.Kalaiselvan, Special Sub Inspector of Police, Aviyoor Police Station, Virudhunagar District. All the parties confirmed the compromise arrived at between them.

5. In view of the same and 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. 96 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kariapatti, Virudhunagar District, is quashed and the Criminal Original Petition stands allowed.

19.09.2025

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

1. The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J.

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