



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P(MD)Nos.17718 & 17721 of 2024

CRL.O.P.(MD)No.17718 of 2024 :

1.Kutha Mohamed @ Kutha,
S/o.Mydeen Pillai

2.Shahul Hameed Badusha @ Kannadi Badhusha,
S/o.Rasul Mydeen

3.Asan Mydeen AR,
S/o.Kaja Mohideen

4.Sirajidheen,
S/o.Sheik Mohamed

5.Shahul Hameed Badusha @ Thippusulthan (Badhusha),
S/o.Anifa

... Petitioners/A1 to A5

Vs.

1.The State Rep. by its
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
(Crime No.66 of 2018)

... Respondent/Complainant

2.Shahul Hameed,
S/o.Sheik Mohamed

... Respondent/De-facto
Complainant



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case in C.C.No.2589 of 2022 on the file of the learned Judicial Magistrate No.V, Tirunelveli and quash the same as against the petitioners.

For Petitioners : Mr.M.Bazeerdeen,
Advocate

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

For R2 : Mr.Abdul Hassan,
Advocate

CRL.O.P.(MD)No.17721 of 2024 :

- 1.Abdulla,
S/o.Sharief
- 2.Mohammed Yusuf @ Yusuf Auto,
S/o.Mohamed Yahaiya
- 3.Mydeen Abdul Kathar @ Kasim,
S/o.Ahamed Ali
- 4.Jafer Sathik @ Electrician Jaffer Sidhq,
S/o.Kaja Mydeen
- 5.Hyderali,
S/o.Abdul Azeez

... Petitioners/A1 to A5

Vs.



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

1.The State Rep. by its
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
(Crime No.67 of 2018)

... Respondent/Complainant

2.Kutha Mohamed,
S/o.Mydeen Pillai

... Respondent/De-facto
Complainant

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case in C.C.No.536 of 2020 on the file of the learned Judicial Magistrate No.V, Tirunelveli and quash the same as against the petitioners.

For Petitioners	:	Mr.Abdul Hassan, Advocate
For R1	:	Mr.K.Sanjai Gandhi, Government Advocate (Criminal Side)
For R2	:	Mr.M.Bazeerdeen, Advocate

COMMON ORDER

These Criminal Original Petitions are filed to quash the impugned final report, in C.C.No.2589 of 2023 on the file of the learned Judicial Magistrate No.V, Tirunelveli, which was filed for the offences under Sections 147 and 387 of IPC r/w. Section 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992; and to quash the impugned final report, in C.C.No.536 of 2020 on



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

the file of the learned Judicial Magistrate No.V, Tirunelveli, which was filed for the offences under Sections 147, 294(b), 352, and 506(2) of IPC.

2. These two Final Reports have been filed pursuant to the investigation in two First Information Reports, which have been registered as case and case in counter.

3. The allegation in both cases is that, on account of a dispute between two groups of auto drivers, the petitioners in both cases attacked each other and thereby committed the aforesaid offences.

4. The learned counsel for the petitioners in both the cases would submit that the parties have now arrived at a compromise and they have filed a joint compromise memo dated 05.02.2025 separately.

5. The petitioners, namely Kutha Mohamed @ Kutha (Aadhaar No.6067 4143 8674), Shahul Hameed Badusha @ Kannadi Badhusha (Aadhaar No.4301 5086 1940), Asan Mydeen AR (Aadhaar No.4346 9024 3597), Sirajidheen (Aadhaar No.5866 6042 1450), and Shahul Hameed Badusha @ Thippusulthan (Badhusha) (Aadhaar No.4301 5086 1940), and the 2nd respondent, namely



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

Shahul Hameed (Aadhaar No.3239 7558 9532) in Crl.O.P.(MD)No.17718 of 2024, and the petitioners, namely Abdulla (Aadhaar No.4868 8322 7173), Mohammed Yusuf @ Yusuf Auto (Aadhaar No.8284 1556 8427), Mydeen Abdul Kathar @ Kasim (Aadhaar No.9889 2094 3531), Jafer Sathik @ Electrician Jaffer Sidhq (Aadhaar No.7327 0634 9283) , and Hyderali (Aadhaar No.5498 1462 2739), in Crl.O.P.(MD)No.17721 of 2024, are present before this Court in person. They are identified by Ms.S.Santhi, Special Sub Inspector of Police, Melapalayam Police Station, Tirunelveli District. All the parties confirmed the compromise arrived at between them.

6. In view of the same, considering the nature of the allegations and the compromise arrived between the parties, this Court is of the view that no useful purpose would be served in keeping the impugned final reports pending trial. Accordingly, the impugned final reports in C.C.Nos.2589 of 2023 & 536 of 2020 on the file of the learned Judicial Magistrate No.II, Thanjavur are quashed as against the petitioners.

7. In the result, these Criminal Original Petitions stand allowed. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) in each case as costs to the Mediation and Conciliation Centre attached to this Bench



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry. The joint compromise memos dated 05.02.2025 shall form part of this order.

19.11.2025

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

To

- 1.The Judicial Magistrate Court No.V,
Tirunelveli.
- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)Nos.17718 & 17721 of 2024

SUNDER MOHAN, J.

mkn

Crl.O.P(MD)Nos.17718 & 17721 of 2024

19.11.2025