



Crl.O.P.(MD) No.19037 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2025

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THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.19037 of 2024

1.Yesudhas

2.Altose

... Petitioners

Vs.

1.The State of Tamil Nadu
Rep. by the Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
(Crime No.387 of 2020)

2.Saraswathi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for records pertaining to the charge sheet in C.C.No.72 of 2021 on the file of the learned Judicial Magistrate No.II, Kuzhithurai and quash the same.

For Petitioners : Mr.C.R.Nimal

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

For R2 : Mr.P.Sonu



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ORDER

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This Criminal Original Petition has been filed seeking to quash the final report in C.C.No.72 of 2021 on the file of the learned Judicial Magistrate No.II, Kuzhithurai, filed against the petitioners for the offences punishable under Sections 294(b), 323, 324, 341 and 506(2) of the Indian Penal Code, 1860.

2. The allegation in the final report is that, on account of prior enmity between the first petitioner and the second respondent, the petitioners abused the second respondent/defacto complainant in filthy language, attacked her with a knife and a stick, causing simple injuries, committed criminal intimidation, and thus committed the aforesaid offences.

3. Admittedly, the petitioners and the second respondent belong to the same village. 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 31st March 2024. 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. of 2024
in

CC No. 72 of 2021

(on the file of the Judicial Magistrate No. II, Kuzhithurai)

1. Yesudhas, M/78,
S/o. Velliyan Vedha Nayagam,
2-48, Vaduvor Thottam,
Vavarai,
ST Mangad Post,
Kanyakumari District.

2. Altose, M/39,
S/o. Mr. Yesudhas,
2-48, Vaduvor Thottam,
Vavarai,
ST Mangad Post,
Kanyakumari District.

...Petitioners/ Accused No. 1 to 2

Petitioners

1. V. Kneen
2. Y Alcloose

Respondent

2. K. Jay



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vs

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Nithiravilai,
Kanyakumari District.
(Crime No. 152/2022)

...1st Respondent/Complainant

2. Saraswathi, F/45,
W/o. Mr. Vijayan,
Thevalanji Veedu,
Panamugam,
ST Mangad Post,
Kanyakumari District.

...2nd Respondent/Defacto Complainant

JOINT COMPROMISE MEMO

1. It is submitted that on 13.09.2022, 1st Respondent herein registered a case against the Petitioners/Accused in crime No.387 of 2020 offense under Section 294(b), 323, 324,341,379 506(ii),of IPC, 1860 on the strength of the complaint given by the 2nd Respondent. The allegation found in the F.I.R. is that the 2nd respondent is a widow was assaulted by the petitioners due to property dispute and the same was reported before 1st respondent police and the said police has registered a case and further the case was charge sheeted as CC No. 72 of 2021 on the file of Judicial Magistrate No. II, Kuzhithurai and the case is pending.

Petitioners

1. V. Kuehn
2. Y Alcloose

Respondent

2. K. Say



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2. It is submitted that the petitioners and the victim are neighbours and now they come forward voluntarily and amicably settled the disputes prevailing between them as they have decided to keep harmony between them to enable them to live with peace and love.

3. It is submitted that the 2nd respondent has agreed to withdraw the charge sheet in CC No. 72 of 2021 on the file of Judicial Magistrate No. II, Kuzhithurai. Thus, the Joint Compromise Memo is filed before this Honourable Court by both parties to record the same and quash the charge sheet in CC No. 72 of 2021 on the file of Judicial Magistrate No. II, Kuzhithurai.

It is, therefore, prayed that this Hon'ble Court may be pleased to record the Joint Compromise memo and quash the Charge Sheet in CC No.72 of 2021 on the file of Judicial Magistrate No. II, Kuzhithurai and thus render justice.

Dated at Kuzhithurai, this the 31st day of March, 2024

Petitioners

1. V. Kneem
2. Y Alchoose

R
(2010/2007)
Counsel for Petitioners

Respondent

2. K. Say

[Signature]
MS 420/21
Counsel for Respondent No. 2



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4. The petitioners, namely, (1) Yesudhas [Aadhaar No.9536 4486 4880], (2) Altose [Aadhaar No.5469 4339 7780], and the second respondent/defacto complainant, namely, Saraswathi [Aadhaar No.6585 5903 1366] are present before this Court in person. The parties are identified by Mr.Selvaraj, Special Sub Inspector of Police, Nithiravillai Police Station. 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.72 of 2021 on the file of the learned Judicial Magistrate No.II, Kuzhithurai, is quashed. The petitioners shall pay a sum of Rs.5,000/- as costs to the Mediation and Conciliation Centre attached to the Madurai Bench of Madras High Court forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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WEB COPY 6. Hence, this Criminal Original Petition stands allowed.

15.10.2025

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JEN

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Judicial Magistrate No.II,
Kuzhithurai, Kanyakumari District.
- 2.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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