

Crl.O.P.(MD)No.14695 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14695 of 2025

Syed Al Haseer ... Petitioner/Accused No.1
Vs.

1. The State of Tamilnadu, Rep.
by its The Inspector of Police,
Thirupulani Police Station,
Ramanathapuram District. ... 1st Respondent/Complainant

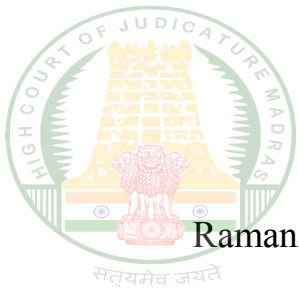
2. Panchavarnam ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 BNSS, to call for the records pertaining to C.C.No.85 of 2019 on the file of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.K.Yasar Arafath
For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R-2 : Mr.J.Mohamed Ibrahim

ORDER

The petitioner seeks for quashing the impugned final report in C.C.No.85 of 2019 on the file of the Judicial Magistrate No.I,



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Ramanathapuram, Ramanathapuram District, for the offences under

Sections 294(b), 323 and 506(i) I.P.C.

2. The allegation against the petitioner is that due to previous enmity, the petitioner and other accused abused the defacto complainant in filthy language and attacked her with iron rods and wooden logs and thus, he committed the aforesaid offences.

3. The petitioner and the defacto complainant have since arrived at a compromise and had filed a joint compromise memo, by which the defacto complainant has agreed for quashing of the impugned final report, on the basis of the compromise.

JOINT COMPROMISE MEMO

1. The Petitioner and the 2nd Respondent would jointly submit that the above 1st Respondent / Complainant have registered a case as against the petitioner and another in for the alleged offences u/s.147,294(b),323, 506(ii) of IPC in Crime No. 22 of 2016 dated 09.02.2016 based on the complaint given by the 2nd Respondent / Defacto - Complainant. Subsequently the Charge sheet has been filed in C.C.No.85 of 2019 on the file of Judicial Magistrate No.I, Ramanathapuram for the offences 294(b),323, 506(ii) of IPC.

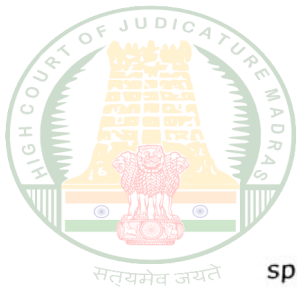


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2. The Petitioner and the 2nd Respondent would jointly submit that the case is that on the date of occurrence the Petitioner and another due to motive they have abused filthy language to the defacto complainant and assaulted him with iron rods and wooden logs. Hence the case has been registered.

3. The Petitioner and the 2nd Respondent would jointly submit that the above dispute amicably settled petitioner and the 2nd respondent. There was a wordy duel between both of them but nothing happened as alleged by the prosecution. The Petitioner submits that the Petitioner and defacto complainant are belongs to same village, due to which reason the dispute amicable settled and comprised between the accused persons and defacto complainant. After registering the FIR they have shed all their misunderstanding and have compromised in the presence of the relatives and well-wishers and have mutually agreed to withdraw in the above case in C.C.No.85 of 2019 on the file of the Judicial Magistrate Court No.I,Ramanathapuram, Ramanathapuram District.

4. The Petitioner and the 2nd Respondent would jointly submit that the matter has been compromised between both of them with intervention of the mediator and well-wishers of both sides without any inducement made by others. The Defacto Complainant have



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specifically admitted that he has no objection if the Charge Sheet in question is quashed. Further he had given an undertaking that Defacto Complainant is ready to withdraw the case and no objection to quash the Charge Sheet in C.C.No.85 of 2019 on the file of the Judicial Magistrate Court No.I, Ramanathapuram, Ramanathapuram District as against the petitioner and another accused person i.e Navas Khan.

5. The Petitioner and the 2nd Respondent would jointly submit that such compromise has been taken place purely with an intention to settle their dispute among them and it is purely voluntary by the parties concerned. Hence, in order to avoid further ordeal of trial before the Trial Court, they are preferred to be present before this Hon'ble Court whenever it is required. This Hon'ble Court by taking into consideration of the above said aspects with regard to the compromise and in the interest of the parties, can leniently look into the present issue, as such the prayer sought for by the Petitioners can be allowed.

The Hon'ble Apex Court of India has ruled that *"the High Court in exercise of inherent power could quash the Criminal Proceedings or FIR the complaint in appropriate Court in order to meet the ends of justice"*



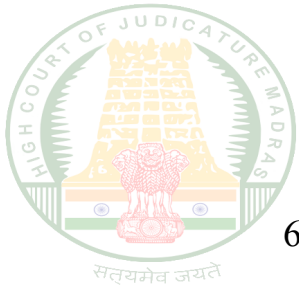
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It is therefore prayed that the Petitioner and the 2nd Respondent jointly pray that this Hon'ble Court may be pleased to take into consideration of the present Joint Compromise Memo and quash the Charge Sheet in C.C.No.85 of 2019 on the file of the Judicial Magistrate Court No.I, Ramanathapuram, Ramanathapuram District and thus render Justice.

4. The said compromise memo is taken on record. The second respondent is present in person, who is identified by Mr.T.Senthoor, HC901, Thirupulani Police Station. She confirms the compromise entered into between her and the petitioner.

5. Therefore, this Court is of the view that no useful purpose would be served in keeping the trial pending. Accordingly the impugned charge sheet in C.C.No.85 of 2019 on the file of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District, is hereby quashed, in terms of the joint compromise memo.



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6. This Criminal Original Petition is allowed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

- 1.The Inspector of Police,
Puthukadai Police Station,
Puthukadai,
Kanniyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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