



CRL OP(MD). No.15107 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 15.09.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P(MD). No.15107 of 2025

1. Ambika,
2. Kalpana,
3. Yogeswari @ Maheswari, ... Petitioners
Vs.

1. The State of Tamil Nadu, Rep,
by the Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
(In Crime No.157 of 2022)

2. Neethimannan, ... Respondents

PRAYER :- Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, 1973/Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to the case in S.T.C.No.158 of 2024 on the file of the Learned District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District and quash the same as illegal.

For Petitioners : Mr.A.Karthigaivel,

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor for R1
: Mr.P.Krishnasamy for R2



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ORDER

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The petitioners have sought for quashing of the impugned final report in S.T.C.No. 158 of 2024 on the file of the District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District, filed for the offences under Sections 294(b), 323 and 506(i) I.P.C.

2. The allegation against the petitioners is that due to wordy quarrel between the parties, the petitioners had abused the defacto complainant in filthy language and attacked him and also threatened him with dire consequences.

3. The learned counsel for the petitioners and the learned counsel for the defacto complainant / the second respondent would submit that the parties have now entered into a compromise on the advice of the elders and well-wishers and both the parties have agreed that the impugned final report may be quashed.

4. The parties have also filed a joint compromise memo dated 01.09.2025. 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 2025.

Against

S.T.C.No.158 of 2024.

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

1. Ambika (F/22),
W/o. Ganesan,
Mustakurichi,
Kariyapatti Taluk,
Virudhunagar District.
2. Kalpana (F/39),
W/o. Kumar,
Mustakurichi,
Kariyapatti Taluk,
Virudhunagar District.
3. Yogeswari @ Maheswari (F/29),
W/o. Dhanabalan,
Mustakurichi,
Kariyapatti Taluk,
Virudhunagar District. -- Petitioners/Accused No.1 to 3.

--Vs--

1. State rep. by
The Inspector of Police,
Aviyur Police Station,
Virudhunagar District,
(In Crime No.157 of 2022) -- 1st Respondent/Complainant.
2. Neethimannan,
S/o. Palanisamy,
West Street, Mustakurichi,
Kariyapatti Taluk,
Virudhunagar District. -- 2nd Respondent/Defacto Complainant.

1. Ambika
2. K. Kalpana
3. D. Yogeswari



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**JOINT MEMO FILED BY THE PETITIONERS/ ACCUSED AND
THE 2ND RESPONDENT/ DEFACTO COMPLAINANT**

1. The Petitioners respectfully submit that they have filed this Criminal Original Petition praying this Hon'ble Court to quash the proceedings in S.T.C.No.158 of 2024 on the file of the Learned District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District.

2. The Petitioners respectfully submits that the gist and kernel and matrix of the complaint of the 2nd Respondent/ Defacto Complainant would reveal that it is reportedly alleged by the 2nd Respondent / Defacto complainant that the defacto complainant is running the Tea shop near Mustakurichi Bus Stop, Kariyapatti Taluk. The saw firewood was in front of the defacto complainant's shop. The 1st Petitioner running a Broiler Shop, it is backside of the defacto complainant's shop, due to previous dispute between the Petitioners and the defacto complainant regarding to remove the firewood from the site. On 29.06.2022 at about 06.50 a.m., the 1st Petitioner had thrown the firewood in front of the defacto complainant's shop. When questioned the same, the 1st Petitioner stated that if you are stocking the firewood, the snake is coming to the Petitioner's house, the 1st Petitioner attacked and threatened the defacto complainant and his wife with stick. Thereafter, the Petitioners attacked and threatened the defacto complainant abused filthy language with dire consequences.

3. The Petitioners respectfully submits that due to previous motive between the Petitioners and the defacto complainant. At the time of occurrence, the defacto complainant attacked and

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2. K. Kalpana

3. D. Yogeswari



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threatened the Petitioners abused filthy language with dire consequences caused simple injuries. The Petitioners admitted the Government Hospital, Kariyapatti. Thereafter the Petitioners given the complaint before the Respondent Police, on the basis of the complaint, the Respondent Police registered a case in Cr.No.156 of 2022 for the offence under Sections 294(b), 323, 355, 506(i) of I.P.C. and Section 4 of Women Harassment Act against the defacto complainant and 3 others. Due to wreck vengeance for which, the defacto complainant lodged a false counter case in Cr.No.157 of 2022 before the 1st Respondent Police against the Petitioners. They are no way connected in the alleged occurrence.

4. 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.157 of 2022 for the alleged offence under Sections 147, 294(b), 323, 447, 506(i) of I.P.C. dated 30.06.2022. Without proper enquiry, the 1st Respondent filed the charge sheet on the file of the Learned Judicial Magistrate No.II, Virudhunagar for the offence under Sections 294(b), 323, 506(i) 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 S.T.C.No.158 of 2024. Totally, there are 6 Accused in this case and they have been arrayed as Accused No.1 to 3 and they are the Petitioners before this Hon'ble Court. The Accused No.4 to 6 are deleted the above said cast.

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

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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 Respondent /defacto complainant and the 2nd Respondent gave consent for compromise with the Petitioners without any claim and action as against each other.

7. The Petitioners respectfully submit that the F.I.R. and investigation in the criminal complaint launched against the Petitioners are liable to be quashed on account of the subsequent change in circumstances. It is pertinent to note that the 2nd Respondent has entered into compromise with the Petitioners after realizing his mistake.

8. It is respectfully submitted that the Petitioners as well as the 2nd Respondent arrived at compromise and amicably settled the issue. The 2nd Respondent on his own willingness comes forward for entering into this Compromise Memo.

9. It is respectfully submitted that considering future of the parties, the Petitioner as well as the 2nd Respondent arrived at compromise and amicably settled the issue with the help of Village elders and relatives. The 2nd Respondent / Defacto complainant has signed the compromise memo on him without any influence or coercion and the F.I.R. in Crime No.157 of 2022 dated 30.06.2022 pending on the file of the 1st Respondent Police in connection with S.T.C.No.158 of 2024 have to quash in view of the same. The 2nd Respondent is giving no objection to withdraw the prosecution against the Petitioners in S.T.C.No.158 of 2024 on the file of the Learned District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District.

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2. H. Kailash

3. D. Yogeswari



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5. The petitioners and the second respondent (Aadhaar No.7120 1151 4722) are present before this Court in person. They are identified by Mr.N.Kannan, S.S.I., Aviyur Police Station. Both the parties confirmed the compromise arrived at between them.

6. 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 S.T.C.No.158 of 2024 on the file of the District Munsif Cum Judicial Magistrate, Kariapatti, Virudhunagar District, is hereby quashed and the Criminal Original Petition stands allowed. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs to the Mediation and Conciliation Centre attached to this Bench forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

15.09.2025

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TO

1. The District Munsif Cum Judicial Magistrate,
Kariapatti,
Virudhunagar District
2. The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Officer incharge,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J.

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