

Crl.O.P.(MD)No.14819 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.14819 of 2025

1.Vijay
2.Sanjay

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.
(In Crime No. 373 of 2022)

2. Thirumalaikumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire records connected to the impugned charge sheet in C.C. No.193 of 2023, pending on the file of Judicial Magistrate Court, Tenkasi and quash the same.

For Petitioner	: Mr.P.Ponraj
For R1	: M. K.Sanjai Gandhi Government Advocate (Criminal side)
For R2	: Mr.T.Gopala Krishnan



Crl.O.P.(MD)No.14819 of 2025

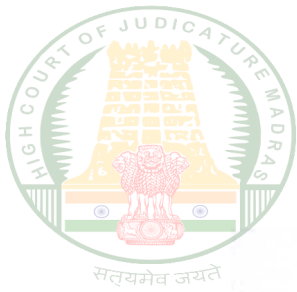
ORDER

WEB COPY

This petition has been filed to quash the Final Report filed for the offence under Section 294(b), 323 and 506(2) IPC.

2. The allegation in the final report is that the petitioners and the defacto complainant are neighbours ; that on 31.10.2022 at about 09.00 a.m, near the Kadayanallur new bus stop, there was a wordy quarrel between the petitioners and the defacto complainant; that the petitioners assaulted the defacto complainant and threatened him of dire consequences; and thus committed the aforesaid offence.

3. Admittedly, the petitioners and the second respondent 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 11th September, 2025 and the scanned copy of the compromise memo reads as follows:



Crl.O.P.(MD)No.14819 of 2025

WEB COPY

3

IN THE HIGH COURT OF JUDICATURE MADRAS AT
MADURAI BENCH
(Criminal Original Jurisdiction)

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

-IN-

CC No: 193 of 2023

(On the file of the Judicial Magistrate Court, Tenkasi)

1. Vijay (32/2025)
S/o. Sankaran
No. 197, Kariyamanicka Perumal Kovil Theru
Melakadayanallur
Kadayanallur
Tirunelveli District - 627751
2. Sanjay (20/2025)
S/o. Madasamy
No. 98 A 1, Kariyamanicka Perumal Kovil Theru
Melakadayanallur
Kadayanallur
Tirunelveli District - 627751 ... Petitioners/ Accused No.1 and 2

-Vs-

1. State represent through the
Inspector of Police
Kadayanallur Police Station
Tirunelveli District
(In Crime No: 373 of 2022) ... Respondent No-1/ Complainant
2. Thirumalaikumar (38/2025)
S/o. Murugan
No. 98 A 1, Kariyamanicka Perumal Kovil Theru
Melakadayanallur
Kadayanallur
Tirunelveli District ... Respondent No-2/DefactoComplainant

m. R. R. R.

[Handwritten signature]



WEB COPY



Crl.O.P.(MD)No.14819 of 2025

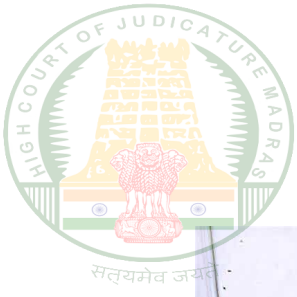
JOINT COMPROMISE MEMO

It is submitted that Petitioners and the 2nd Respondent are hereby enter into a compromise and agree on the following terms.

1. It is submitted that the Petitioner prefer the Criminal Original Petition praying before this Hon'ble Court to quash the Charge Sheet in C.C No: 193 of 2023, on the file of Judicial Magistrate Court, Tenkasi.
2. It is submitted that the Petitioners/Accused No.1 and 2 with the defacto complainant filed the above joint compromise memo in the quash petition. The Petitioners and the Respondent No-2/defacto complainant settled their disputes through compromise.
3. It is submitted that the allegation of the prosecution case is that the Defacto Complainant namely Thirumalaikumar son of Murugan alleged in his complaint that on 31.10.2022 at about 09.00 am., there is a wordy quarrel between the defacto complainant and the petitioners. Further the Petitioners assaulted the defacto complainant and threatened with dire consequences. Based on that the defacto complainant complaint the Respondent police has registered the case F.I.R. in Crime No. 373 of 2022 for the alleged offences Under Sections 294(b), 323 and 506(2) of IPC in Crime No: 373 of 2022 dated 31.10.2022 on the file of the 1st Respondent Police station.
4. It is submitted that thereafter, the Charge Sheet also filed in CC No: 193 of 2023, on the file of Judicial Magistrate Court, Tenkasi and the same was pending. Now the defacto complainant as well as the petitioner has settled their dispute among the elders and family friends.

m. Thirumalaikumar

H. Thirumalaikumar



Crl.O.P.(MD)No.14819 of 2025

WEB COPY

5. It is submitted that the petitioners and the Defacto complainant compromised the issue. The defacto complainant does not want to prosecute further against the petitioners. It is further submitted that since the dispute between the parties has been settled on by way of compromise. The Defacto complainant has no objection in quashing of the Charge sheet in CC No: 193 of 2023, on the file of Judicial Magistrate Court, Tenkasi. Moreover the Defacto complainant does not want to pursue the proceedings against the petitioners. Otherwise also, no purpose would be served in case, the proceedings are continued in future as the complainant is not going to depose against the petitioner. Therefore in view of settlement the continuation of impugned criminal proceedings between the parties would be an exercise in futility and it will be wastage of precious time of the Court.

Therefore it is most respectfully prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo as part and parcel of the order and thus render justice.

Defacto Complainant

Petitioners

1. M. S. Ravichandran

1. K. S. S. S. S.

2. M. S. S. S. S.

T. S. S. S. S.
Counsel for De-facto complainant/
Respondent No. 2

T. S. S. S. S.
Counsel for the Petitioners



Crl.O.P.(MD)No.14819 of 2025

WEB COPY

4. The petitioners namely Vijay (Aadhar No.5884 4990 5929) and Sanjay(Aadhar No.5136 0452 6966) and the second respondent (Aadhar No. 7836 3788 9652) are present before this Court in person. They are identified by Mr.P.Karuppasamy, Head Constable 1156, Kadayanallur Police Station. All the parties confirmed the compromise arrived at between them.

5. In view of the compromise arrived at between the parties and the nature of allegations and the relationship between the parties, this Court is of the view that no useful purpose will serve in keeping the impugned final report pending in the trial Court. Accordingly, the final report is quashed and this Criminal Original Petition is allowed.

17.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PJJ

To
1.The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.14819 of 2025



WEB COPY



Crl.O.P.(MD)No.14819 of 2025

SUNDER MOHAN, J.

PJL

Crl.O.P(MD)No.14819 of 2025

17.09.2025