



Crl.O.P.(MD)No.14883 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14883 of 2025

Abubakker Sithik

... Petitioner

Vs.

1.State of Tamilnadu
represented by the Inspector of Police,
Tenkasi Police Station,
Tenkasi.
In Crime No.432 of 2025.

2.Mydeen Fathima

...Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records of impugned First Information Report in Crime No.432 of 2025 on the file of the first respondent Police Station and quash the same as illegal as against the petitioner.

For Petitioners : Mr.O.Aiubu

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R2 : Mr.A.Abdulkabur



Crl.O.P.(MD)No.14883 of 2025

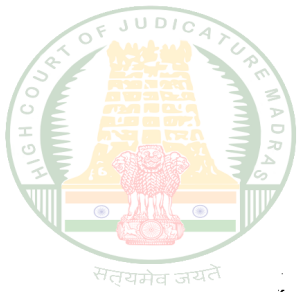
ORDER

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This petition has been filed to quash the FIR in Crime No.432 of 2025 on the file of the first respondent for the alleged offences under Section 296(b), 115(2) and 351(3) of BNS, 2023 and Section 4 of Prohibition of Harassment of Women Act, 2002.

2. The allegation made in the First Information Report is that on 05.06.2025, on account of an earlier dispute, the petitioners attacked the defacto complainant / second respondent and her daughters, abused them using filthy language, threatened them with dire consequences and thus committed the aforesaid offence.

3. Admittedly, in respect of the same incident, the second respondent had lodged another complaint, which was registered in Crime No.433 of 2025. Now the parties have entered into a compromise and decided to give a quietus to the entire dispute. The parties have filed a joint compromise memo dated 09.09.2025 and the scanned copy of the compromise memo reads as follows:



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Crl.O.P.(MD)No.14883 of 2025

Clean copy

**IN THE HIGH COURT OF JUDICATURE MADRAS
AT MADURAI BENCH
(Criminal Original Jurisdiction)
Crl.OP.(MD).No. of 2025**

-In-

Crime No. 432 of 2025
(On the file of the Respondent No.1 Police Station)

Abubakker Sithik,
S/o. Diwan Mydeen,
79, Pudumanai 1st Street,
Tenkasi.

...Petitioner /Sole Accused

-Vs-

1. The State represented through the Inspector of Police,
Tenkasi Police Station,
Tenkasi.
(In Crime No. 432 of 2025) **.... Respondent/ Complainant**

2. Mrs. Mydeen Fathima,
W/o. Mydeen Ahamed Sha,
104 A, Sornapuram Street,
Tenkasi. **.... Respondent / Defacto complainant**

JOINT MEMO FOR COMPROMISE

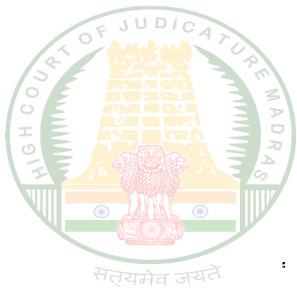
1. It is submitted that the Petitioner prefers this memorandum of Criminal Original Petition for quash and praying that this Hon'ble Court may be pleased to call for the records of impugned First Information Report in Crime No. 432 of 2025 on the file the Respondent No.1 Police Station and quash the same as illegal. Since due to civil dispute between the Petitioner and the Respondent No.2 this case has been registered as counter case and now the Petitioner and the Respondent No.2 proposed to

Petitioner

1.

Respondent No.2

x.



Crl.O.P.(MD)No.14883 of 2025

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compromise and settled their disputes with amicably before their elders and family members and the Respondent No.2 is not willing to prosecute the case as against the petitioner.

2. It is submitted that the prosecution case is that on 08.06.2025 at about 07.45 AM the Respondent No.1 perused the CSR No.839 of 2025 which was given for the complaint of the Respondent No.2, wherein she stated in his complaint as she is residing in the above said address and she is having four sons and three daughters and all are got married and she is living with his son Mohamed Diwan. There is a civil dispute pending between the Petitioner and the Respondent No.2's family, on 05.06.2025 at about 03.30PM the petitioner installed Palm sticks in the disputed area, while the Respondent No.2 questioned the same, the Petitioner abused her with filthy language and assaulted on her cheek and back and pushed down her, at the time the Respondent No.2's granddaughter and daughter in law shouted at the Petitioner and he criminally intimidated him with dire consequences. Then the Respondent No.2 was hospitalized in Private Hospital. In this regard the Respondent No.1 has registered a case in Crime No.432 of 2025 for the alleged offence under section 296(b), 115(2), 351(3) of The Bharariya Nyaya Sanhita 2023 and section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002.

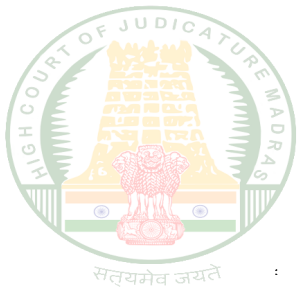
Petitioner

1.

Respondent No.2

x.

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Crl.O.P.(MD)No.14883 of 2025

3. It is submitted that in fact there is a civil dispute pending between the Petitioners family and the Respondent No.2's family, in such circumstances the Respondent No.2 installed Palm sticks in the Petitioners land, it was questioned by the Petitioner No.1's wife and his mother at the time the Respondent No.2's son and grandsons abused them with filthy language and assaulted the Petitioner, in this regard the Petitioner lodged a complaint as against the Respondent No.2 and a case in Crime No.433 of 2025 for the offences under sections 296(b), 115(2), 351(3) of The Bharariya Nyaya Sanhita 2023 and section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 was registered. In order escape from their criminal liability the Respondent No.2 foisted a false case and this present case came to be registered as counter blast.
4. It is submitted that the at this juncture the Petitioners and the Respondent No.2 were settled their disputes amicably before their elders and family members and the Respondent No.2 do not want to continue the criminal proceedings against the Petitioners.
5. It is submitted that in these circumstances the petitioners are having no other alternative effective and efficacious remedy except to approach this Hon'ble court by invoking the inherent power of this Hon'ble Court conferred under section 528 of BNSS to quash the impugned First Information Report in Crime No. 432 of 2025 on the file of the Respondent No.1 Police Station.

Petitioner

1.

Respondent No.2

x.

2



Crl.O.P.(MD)No.14883 of 2025

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Therefore it is most respectfully prayed that this Hon'ble Court may be pleased to record this compromise memo and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstance of the case and thus render Justice.

Dated at Madurai on this day of June 2025

Petitioner

1.

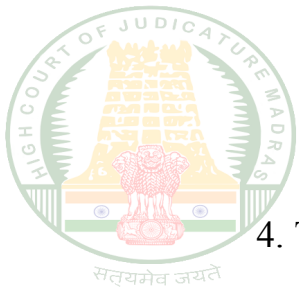
Counsel for the Petitioner

Respondent No.2

x. ரெபன்ட்ஸ் பர்த்தி.

Counsel for the Respondent No.2

4



Crl.O.P.(MD)No.14883 of 2025

4. The petitioner (Abubakkar Sithik - Aadhar No.659269025782) and the second respondent (Mydeen Fathima - Aadhar No.237542286137) are present before this Court in person. They are identified by Mr.P.Ponnusamy, Special Sub Inspector of Police, Tenkasi Police Station, Tenkasi District. All the parties confirmed the compromise arrived at between them.

4. 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 FIR pending investigation. Accordingly, the impugned FIR in Crime No.432 of 2025 dated 08.06.2025 is quashed and the Criminal Original Petition stands allowed.

10.09.2025

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

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Crl.O.P.(MD)No.14883 of 2025

SUNDER MOHAN, J.

Indu

To

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

Crl.O.P(MD).No.14883 of 2025

10.09.2025