



CRL OP(MD). No.15852 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 31.10.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL.O.P(MD) No.15852 of 2025

1.Raasik @ Rasiq Mohamed

2.Satham @ Aazif Sadham

... Petitioners/A1 & A2

Vs

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kottar Police Station,
Kanyakumari District,
(Crime No.358 of 2019).

2. Nawfalkhan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records of the impugned Charge Sheet in C.C. No.396 of 2020 on the file of the Learned Judicial Magistrate No.II, Nagercoil, and quash the same as illegal as against the petitioners

For Petitioners : Mr.A.Abdulkabur

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For R2 : Mr.A.Mohamed Riyaz

ORDER

The petitioners seek to quash the impugned Charge Sheet in C.C. No.396 of 2020 on the file of the Learned Judicial Magistrate No.II,



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Nagercoil, which was filed for the offences under Sections 294(b), 325 and 506(ii) of IPC.

2.The gist of the allegation in the final report is that on account of prior enmity, the petitioners attacked the defacto complainant with hands, caused injuries, criminally intimidated him with dire consequences and thus committed the aforesaid offences.

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 advise 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. The scanned copy of the compromise memo reads as follows:



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

Crl.OP.(MD).No. 15852 of 2025

-In-

CC No. 396 of 2020

(On the file of the learned Judicial Magistrate No.II, Nagercoil)

- 1. Raasik @ Rasiq Mohamed (M-29/25),**
S/o. Malik Mohamed,
8-144, 2nd Street,
Kattuvilai,
Thiruvithancode,
Kanyakumari - 629 174.
- 2. Satham @ Aazif Sadham (M-31/25),**
S/o. Abdul Salam,
22/139, Thoppu New House,
Vilavancode,
Thengapattanam,
Kanniyakumari - 629 173. ... **Petitioners /Accused Nos.1 & 2**

-Vs-

- 1. The State represented through the Inspector of Police,**
Kottar Police Station,
Kanyakumari District.
(In Crime No. 358 of 2019) **Respondent/ Complainant**
- 2. Mr. Nawfalkhan,**
S/o. Abdul Razak,
Sathik Apartment,
Puthankudiyiruppu,
Nagercoil,
Kanyakumari District. **Respondent / Defacto complainant**

Petitioners

1.



Respondent No.2

x.



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JOINT MEMO FOR COMPROMISE

1. It is submitted that the Petitioners prefer 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 Charge Sheet in CC No. 395 of 2020 on the file the learned Judicial Magistrate No.11, Nagarcioi and quash the same as illegal. Since due to wordy quarrel between the Petitioners and the Respondent No.2 this case has been registered and now the Petitioners and the Respondent No.2 proposed to 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 petitioners.
2. It is submitted that the prosecution case is that on 15.09.2019 the Respondent No.1 received an intimation from Asaripallam Government Hospital, where the Respondent No.2 was admitted as inpatient in AE Ward and he gave a statement with stating that he is residing in the above said address with his mother Nebisath and sister Newiya and he is working in R.M.Bismi Mutton stall which is situated at Vellachivilai. Since one and half years prior to the date of occurrence, the Respondent No.2 parked his motor cycle in front of the Petitioner No.1 and the same was questioned by the Petitioner, in this regard there is a motive arose between the Petitioner No.1 and the Respondent No.2.

Petitioners

1.
2.

Respondent No.2

x.

Signed before me

28.06.2025
T. JEYACHANDRAN, B.A., LL.B., D.L.L.
ADVOCATE & NOTARY PUBLIC
Rm No. 1002, 10th Floor, 2nd Cross Street,
17, LAW CHAMBER
DISTRICT COURT CAMPUS
NAGARCOIL - 625 001
SANKARANI DISTRICT, TAMILNADU, INDIA



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3. It is submitted that in such circumstances two days prior to the date of occurrence, the Respondent No.2 went to his relative Malik Mohamed's house which is situated at Thiruvithancode, at the time the Petitioner No.1 created problem with him, immediately the Respondent No.2 left the spot. By having mind the issue on 14.09.2019 at about 04.15PM while the Respondent No.2 was being in his home, the Petitioner came and called him outside the home and when the Respondent No.2 came out, the Petitioner No.1 abused him with filthy language and punched on his shoulder, further he assaulted him with hands on his head and back and criminally intimidated with dire consequences. Then the Respondent No.2's mother Nebisath hospitalized him at Asaripallam Government Hospital.
4. It is submitted that as such the Respondent No.2 gave a statement before the Respondent No.1 while he was admitted in hospital and this case was registered on 15.09.2019 in Crime No.358 of 2019 for the alleged offences under sections 294(b), 323, 506(ii) of IPC.
5. It is submitted that on 22.06.2020 the Respondent No.1 has altered the charges under sections 294(b), 323, 506(ii) of IPC @ 294(b), 325, 506(iii) of IPC and laid charge sheet before the learned Judicial Magistrate No.II, Nagercoil and the same was taken on file as CC No.396 of 2020. In fact the Petitioners and the Respondent No.2 are relatives, duce to misunderstanding this case was foisted as against the Petitioners.

Petitioners

- 1.
- 2.



Respondent No.2

x.



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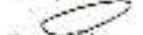
6. It is submitted that the at this juncture the Petitioners and the Respondent No.2 were settled their disputes amicably before their elders and family members and the Respondent No.2 do not want to continue the criminal proceedings against the Petitioners.

7. 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 Charge Sheet in CC No. 396 of 2020 on the file of the learned Judicial Magistrate No.11, Nagercoil.

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 26th day of June 2025

Petitioners

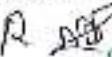
1. 
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Counsel for the Petitioners

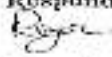
A. Abdul Kader (B.L.)
No. 2, Saranatha
Towers Yakkalandi
Madurai
9820943001

Respondent No.2

x. R 
Signed before me

T. Jeyachandran, Nagercoil, District Court, Nagercoil, Tamil Nadu.
Address: 1, Nagercoil, District Court, Nagercoil, Tamil Nadu.
Mobile: 9820943001
Email: t.jeyachandran@nagercoil.nic.in

Counsel for the Respondent No.2


A. Mohamed Riyaz (B.L.)
No. 2, Saranatha Towers
Yakkalandi Madurai
8072806654



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5.The petitioners, namely, Raasik @ Rasiq Mohamed (Aadhaar No.8231 9710 2749) and the second respondent, namely, Nawfalkhan (Aadhaar No.9927 2277 2149) are present before this Court in person. They are identified by Mr.R.Jeyakumar, Special Sub Inspector of Police, Kottor Police Station, Kanniyakumari District. All the parties confirmed the compromise arrived at between them.

6.Considering the nature of the offences and the fact that the parties have arrived at a compromise, this Court is of the view that no useful purpose would be served by keeping the impugned charge sheet pending trial. Accordingly, the impugned charge sheet in C.C. No.396 of 2020 on the file of the Learned Judicial Magistrate No.II, Nagercoil, is quashed. The petitioners shall pay a sum of Rs.10,000/- 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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7.Hence, this Criminal Original Petition stand allowed.

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NCC : Yes / No

Index : Yes / No

Internet : Yes

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To

1.The Learned Judicial Magistrate No.II,
Nagercoil.

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District,

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



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SUNDER MOHAN,J

vsg

ORDER
IN
CRL OP(MD) No.15852 of 2025

Date : 31.10.2025