



Crl.O.P.(MD)No.21768 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.21768 of 2024

and

Crl.M.P.(MD)Nos.13500 and 13501 of 2024

P.Thiruvassagamani

... Petitioner

versus

1. State of Tamilnadu,
Rep. by the Sub Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
(Crime No.341 of 2023)

2. Raja Mohammed

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the charge sheet in S.T.C.No.471 of 2024 on the file of the Judicial Magistrate Court No.IV, Tirunelveli District and quash the same.

For Petitioner : Mr.G.M.Xavier

For R1 : Mr.A.S.Abul Kalam Azad
Government Advocate (Crl. Side)



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For R2

: Mr.Rahamadullah

ORDER

The petitioner is the sole accused in S.T.C.No.471 of 2024 pending on the file of the Judicial Magistrate Court No.IV, Tirunelveli and they are facing the charges for the offence under Sections 279, 337 and 338 of IPC. He has filed this petition to quash the proceedings in S.T.C.No.471 of 2024 pending against him, on the ground that the issue has been amicably settled between the parties.

2. Therefore, this Court, on 13.06.2025, ordered notice to the 2nd respondent and directed the respondent Police to ascertain the genuineness of the compromise arrived at between the parties and posted the matter on 04.07.2025 for appearance of parties.

3. When the matter was taken up for consideration on 04.07.2025, the petitioner and the defacto complainant were present. The learned Government Advocate (Crl. Side) has also filed a report as if the compromise arrived at between the parties is a genuine one and without any



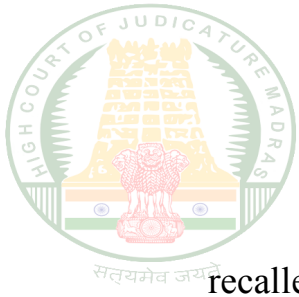
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threat or coercion. The defacto complainant, who was present before this Court, submitted that he does not want to prosecute the case. Based on that submission, this Court, by its order dated 04.07.2025, allowed this petition and quashed the proceedings in S.T.C.No.471 of 2024 pending on the file of the Judicial Magistrate Court No.IV, Tirunelveli, as against the petitioner.

4. At the time of correcting the order, this Court found that apart from the defacto complainant/second respondent herein, there are 17 other injured persons in this case. However, the petitioner has moved this petition without impleading other injured persons. The learned Government Advocate (Crl. Side) has inadvertently represented the matter that the issue has been amicably settled between the parties. Therefore, this petition is listed today under the caption “for clarification”.

5. Since it is found that there are 17 other injured victims, apart from the 2nd respondent/defacto complainant and the petitioner, without impleading other injured victims, this Court is not inclined to quash the proceedings in S.T.C.No.471 of 2024 pending against the petitioner, based on the submission made by the defacto complainant. Therefore, the earlier order dated 04.07.2025, though not signed and dispatched, is hereby



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recalled. Accordingly, this Criminal Original Petition is dismissed.

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Consequently, connected miscellaneous petitions are closed.

25.07.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Judicial Magistrate Court No.IV,
Tirunelveli District.
2. The Sub Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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