



Crl.O.P.(MD) No.15454 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.15454 of 2025

and

Crl.M.P.(MD) Nos.12587 and 12588 of 2025

1.Rajans @ Rajan

2.Christober

... Petitioners/A1 & A2

Vs.

1.State through
The Sub Inspector of Police,
Kotticode Police Station,
Kanyakumari District.
(In Crime No.171 of 2021)

2.Sarojini

... 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 in S.T.C.No.467 of 2022 pending on the file of the learned Judicial Magistrate No.1, Padmanabhapuram, and may be quash the same.

For Petitioners : Mr.A.Balakrishnan
For R1 : Mr.R.Meenakshi Sundaram (for R1)
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to quash the final report in S.T.C.No.467 of 2022 pending on the file of the learned Judicial Magistrate No.1, Padmanabhapuram, for offences under Sections 294(b) and 506(i) of IPC.

2.The allegation in the impugned final report is that on account of prior enmity, the petitioners along with A3 had abused the defacto complainant in filthy language and were creating nuisance by tapping on the gate and thus, committed the aforesaid offences.

3.The learned counsel appearing for the petitioners would submit that there was a counter complaint filed by the first petitioner, which was registered in Crime No.173 of 2023 and culminated in S.T.C.No.287 of 2022; that earlier, A3, who is none else than the wife of the first petitioner herein and the defacto complainant and others who are accused in the counter complaint had filed quash petitions and this Court had directed both the parties to settle the issue among themselves and pursuance to a compromise, the final report insofar as A3 in this case and the final report



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as against the counter parties were quashed by this Court in Crl.O.P. (MD).No.13141 of 2022 and Crl.O.P.(MD) No.270 of 2023 by the order dated 25.03.2024 and that however, it was not brought to the notice of this Court that the petitioners were also accused in S.T.C.No.467 of 2022 which is impugned in this quash petition. He therefore, would submit that in view of the compromise and since the allegation did not reveal the offence, the impugned final report may be quashed.

4.The learned Additional Public Prosecutor confirms that in the quash petition filed by A3, a compromise was arrived at and both the final reports were quashed. However, the order states that it is quashed only in respect of A3.

5.Though notice has been received by the defacto complainant and her name is printed in the cause list, none entered appearance on behalf of her.

6.Admittedly, there was a compromise between both the parties and the compromise has been recorded by this Court in both the quash petitions. As stated above in the order dated 25.03.2024, the nature of the



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compromise arrived at between the parties would suggest that the compromise would enure to the benefit of the petitioners also. Even otherwise the allegations do not constitute any of the offences alleged. There is neither threat nor any obscene act or utterance of obscene words. The allegations would only suggests use of abusive words by the petitioners. Hence, this Court is inclined to quash the impugned final report.

7.Accordingly, the impugned charge sheet in S.T.C.No.467 of 2022 on the file of the learned Judicial Magistrate No.1, Padmanabhapuram, is quashed in respect of the petitioners also and the Criminal Original Petition stands allowed. Consequently, the connected Criminal Miscellaneous Petitions are closed.

31.10.2025

vsg

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order/Non-Speaking Order



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WEB COPY Copy To:

- 1.The learned Judicial Magistrate No.1, Padmanabhapuram.
- 2.The Sub Inspector of Police,
Kotticode Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

vsg

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