



Crl.O.P.(MD) No.15701 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15701 of 2025

1. John Spensar

2. Ashly John

3. Ayyappa Jothi

4. Prabakaran

5. Agasthiyalingham Pillai @ Mat

6. Mathavan @ Mathu

... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by the Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
Crime No.50 of 2016.

... 1st Respondent/Complainant

2.Anand

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code/Section 528 of BNSS, 2023, to call for the records pertaining to the impugned Charge Sheet in PRC No.27 of 2025 on the file of the Learned Judicial Magistrate Court No.1, Nagercoil, Kanyakumari District and quash the same in so far as the petitioners are concerned.



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For Petitioners : Mr.B.Jameelarasu
For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)
For R-2 : Mr.S.Paul Murugesh

ORDER

The petitioners seek to quash the final report in PRC No.27 of 2025 on the file of the Learned Judicial Magistrate Court No.1, Nagercoil, Kanyakumari District, which was filed for the offences under Sections 149, 148, 294(b), 307, 323, 341, 147 and 506(ii) of IPC.

2. The allegation in the final report is that due to prior enmity, the petitioners abused the defacto complainant in filthy language, attacked him and threatened him with dire consequences and thus, committed the aforesaid offences.

3. The learned counsel for the petitioners and the second respondent would submit that the parties 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 18th September 2025 and the scanned copy of the compromise memo reads as follows:



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

Crl.OP(MD)No. 15701 of 2025

In

PRC No. 27 of 2025.

**(on the file of the Learned Judicial Magistrate Court No.1,
Nagercoil, Kanyakumari District)**

1. John spensar (M/43),
S/o, Jayachandran @ John Basakar,
No.14-108, Thattavillai Road,
Keela raman Pudur,
Agastheeswararam,
Nagercoil,
Kanyakumari District

2. Ashly John (M/35),
S/o. John Basakar jayachandran,
108, Thattavillai Road,
Keela raman Pudur,
Agastheeswararam,
Nagercoil,
Kanyakumari District

3. Ayyappa Jothi (M/36),
S/o. Sri Krishnan,
Residing at Pillaiyarvilai,
Rajakkamangalam,
Nagercoil,
Kanyakumari District

4. Prabakaran, (M/36),
S/o. Balakrishnan,
Residing at No. 1-19-C, Main road,
Pillaiyarvilai,
Rajakkamangalam,
Nagercoil,
Kanyakumari District

1. *[Signature]*

2. *[Signature]*

3. *[Signature]*

4. *[Signature]*

5. *[Signature]*

6. *[Signature]*



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5. Agasthiyalingam Pillai @ Mathan, (M/31),
S/o. Maharaja Pillai,
Residing at No. 376, Joseph street,
Parkroad,
Thattavillai Road,
Keelakaman Pudur,
Agastheeswaram,
Nagercoil,
Kanyakumari District

6. Mathavan @ Mathu (M/32),
S/o. Murugan,
Residing at No. 29/30, MGR Nagar,
Hindu college backside,
Chettikulam,
Nagercoil
Kanyakumari District

...Petitioners/Accused Nos.1 to 4 & 6, 7

Vs

The state rep by its

1. The Inspector of Police,
Rajakkamangalam Police station,
Kanyakumari District
Crime No. 50 of 2016

...1st Respondent/Complainant

2. Anand,
S/o. Valkundamal,
Residing at Surappallam,
Kanyakumari District

...2nd Respondent /Defacto
Complainant

JOINT COMPROMISE MEMO FILED BY BOTH THE PARTIES

1. It is submitted that, there are 6 accused in this case and the Petitioners are Accused Nos.1 to 4 & 6 in the Crime No. 50 of 2016 on the file of the Respondent Police herein for an alleged Offence under sections U/s 149, 148, 294(b), 307, 323, 341, 147 & 506 (II) of IPC and subsequently the respondent police has laid the charge sheet before the Learned Judicial Magistrate Court No1, Nagercoil, Kanyakumari District and same was taken in PRC No. 27 of 2025.

1. A. Mathan

2. J. Adh

3. S. M. Agas

dest compl

4.

S. M. Agas

6. M. Mathan



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2. It is pertinent to mention that, the above Petitioners/Accused and the defacto complainants are residing at same locality and further, due to the car accident problem the dispute arose between them. Therefore, the present criminal case was registered against the petitioners and others.

3. It is submitted that, during the pendency of the above criminal case, the above disputes was amicably settled between the parties. Accordingly both parties have compromised themselves to amicable settlement between them and the defacto complainant has not interested to proceed with the above criminal case. Hence, it is just and necessary to file this compromise memo before this Hon'ble Court and record the same and dispose of the above Crl.O.P. Hence the above may kindly be recorded.

It is therefore prayed that this Hon'ble Court may be pleased to record the above compromise arrived between the petitioners and the defacto complainant are concerned amicably and prays this Hon'ble Court to quash impugned charge sheet in PRC No. 27 of 2025 on the file of the Learned Judicial Magistrate Court No.1, Nagercoil, Kanyakumari District and allow the Criminal original petition and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Madurai on this 13 day of ~~August~~ ^{Sept.} 2025

1. *[Signature]*
2. *[Signature]*
3. *[Signature]*
4. *[Signature]*

5. M. Agas
6. M. Vethan
Petitioners/Accused

[Signature]
Counsel for Petitioner

1.

[Signature]
De-facto Complainant

De-facto Complainant

[Signature]
Counsel for de-facto Complainant



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4. The petitioners and the second respondent are present before this Court in person. They are identified by Mr.P.Ananth, Head Constable, Rajakkamangalam Police Station, Kanyakumari District. All the parties confirmed the compromise arrived at between them.

5. Though the impugned Final Report alleges the commission of offence under Section 307 of IPC, it is seen from the records that the defacto complainant sustained only an abrasion on the lower lip. Therefore, this Court is of the view that the offence under Section 307 of IPC is not made out.

6. In view of the same, considering the relationship between the parties and the compromise arrived at between them, this Court is of the view that no useful purpose would be served by keeping the impugned final report pending trial. Accordingly, the impugned final report in PRC No.27 of 2025 on the file of the Learned Judicial Magistrate Court No.1, Nagercoil, Kanyakumari District, is quashed and the Criminal Original Petition stands allowed.

19.09.2025

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

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



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SUNDER MOHAN, J.

Indu

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