

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15755 of 2025

- 1.Sagubar Sathick
 - 2.Saleem
 - 3.Sabina Yashmin @ Yashmin Nasir
 - 4.Jailani @ Abdul Kathar Jailani
 - 5.Riyash @ Riyash Kabeer
- ... Petitioners/A1 to A5

Vs.

- 1.The State of Tamilnadu Rep. by
The Inspector of Police,
Cumbum North Police Station,
Theni District
(Crime No.96 of 2024)
 - 2.Mohamed Fathima
- .. R1/Complainant
- ... R2/Defacto
- Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to call for the records pertaining to the case registered in impugned complaint in C.C.No.130 of 2025 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District and to quash the same as illegal in respect of the petitioner.



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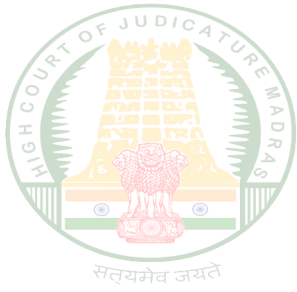
For Petitioner : Mr.G.Raghul
For R1 :Mr.K.Sanjai Gandhi
Government Advocate(Crl.side)
For R2 :Mr.M.Manimuthu

ORDER

This petition has been filed to quash the Final Report filed for the offence under Sections 143, 294(b), 323, 324, 506(ii) of IPC and Section 4 of the TNPHW Act, 2002.

2. The allegation in the final report is that the first petitioner is the husband of the defacto complainant; and that due to a matrimonial dispute, the first petitioner attacked the defacto complainant and the other petitioners also attacked the defacto complainant and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the dispute is between the husband and wife, that now the parties have arrived at a compromise between them; that they 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 MADRAS AT
MADURAI BENCH

(Criminal Original Jurisdiction)

Crl. O.P. (MD) No. 15775 of 2025

-in-

C.C. No. 130 of 2025

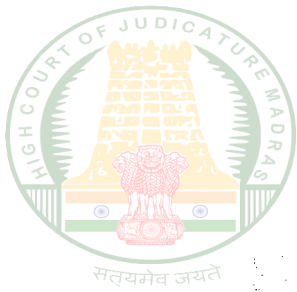
(On the file of the Judicial Magistrate court, Uthamapalayam)

1. Sagubar Sathick M/ 34 years,
S/o. Nasir Ahammed,
No.12/152 1st Street,Cumbum Mettu Colony,
Uthamapalayam, Cumbum,
Theni District.
2. Saleem M/53 years ,
S/o. Kathar Maideen,
No.15 Thathappankulam, 10th Lane,
Cumbum, Theni District.
3. Sabina Yashmin @ Yasmin Nasir F/31 years,
D/o. Nasir Ahammed,
No. 9(2), 1st Street,Cumbum Mettu Colony,
Uthamapalayam, Cumbum,
Theni District.
4. Jailani @ Abdul Kathar Jailani M/38 years,
S/o. Kabeer Khan,
No.71/9W, Subramaniasmay Kovil Street,
Thathappankulam, Uthamapalayam,
Cumbum, Theni District.
5. Riyash @ Riyash Kabeer M/36 years,
S/o. Kabeer,
No.71/9W, Subramaniasmay Kovil Street,
Thathappankulam, Uthamapalayam,
Cumbum, Theni District.

...Petitioners/ Accused No.5

- 1) M. Sagubar Sathick
- 2) K. J.
- 3) A. Yashmin
- 4) M. Kabeer
- 5) K. Riyash

A. Mohamed Fathima



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- Vs -

1. The State of Tamilnadu Rep. by
The Inspector of Police,
Cumbum North Police Station,
Theni District
(Crime No. 96 of 2024) ...1st Respondent/Complainant
2. Mohamed Fathima
W/o. Sagubar Sathik,
No. 4-20, Karuppasamy Kovil Street,
Uthamapalayam,
Theni District.2nd Respondent/ Defacto Complainant

JOINT COMPROMISE MEMO

1. The Petitioners and the 2nd Respondent submit that at the instance of the 2nd Respondent the above said case was registered for the Crime. No: 96 of 2024 Under Sections 143, 294(b), 323, 324, 506(ii) of IPC and Section 4 of TNPHW Act, 2002 and Section 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003 by the 1st Respondent and without conducting proper investigation the case was Charge Sheeted in CC No: 130 of 2025 on the file of the Judicial Magistrate Court, Uthamapalayam, Theni and when it was about to be adjudicated, the Petitioners as well as the 2nd Respondent voluntarily came forwarded to have an amicable settlement, as a result of which the present Compromise Memo for quashing the above said case. In the above CC the Accused Nos 1 to 5 filed the Quash Petition in Crl.O.P. No: 15755 of 2025 and the Accused and the Defacto

1) N. Sakubar Sathik

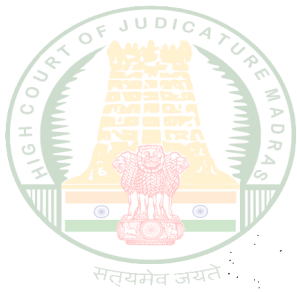
A. Mohamed Fathima

2) K. A. Leo

3) Ayasmin

4) K. Anasuj

5) K. Praveen



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Complainant filed the Joint Compromise Memo and on the basis of that this Hon'ble Court quashed the proceedings as against the Accused No:1 to 5.

2. The Petitioner and the 2nd Respondent further submit that during the pendency of the proceeding, at the intervention of the elders, both the parties have sat together, in which an amicable conclusion has been arrived at and as one part of a conclusion, the 2nd Respondent has agreed to say no objection for the purpose of quashing the present criminal proceeding.
3. The Petitioner as well as the 2nd Respondent jointly submits that such compromise has been taken place purely with an intention to settle all the issues among them and it is purely voluntary by the parties concerned. Hence, in order to avoid further ordeal of trial before the Trial Court, they are preferred to be present before this Hon'ble Court whenever it is required. This Hon'ble Court by taking into consideration of the above said aspects with regard to the compromise and in the interest of the parties, can leniently look into the present issue, as such the prayer sought for by the Petitioners can be allowed. In similar circumstances this Hon'ble Court quashed the Charge Sheet and mentioned the averment made by the Defacto Complainant in the Compromise Memo.

1) N. Sakabar Sakiel

2) K. S. S.

3) A. Yashmin

4) K. Chandy

5) U. Ramef

A. Mohamed Gallum



Dated at Madurai on this the 12th day of Sep'2025

M. Mignall 4089/22
Counsel for the Respondents

1. N. Sakubar Sakier
2. K. Sasi
3. A. Yasmia
4. K. Shaseef
5. A. Remy

2nd Respondent/Defacto Complainant



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4. The petitioners namely 1).Sagubar Sathick (Aadhar No. 7626 6145 7659), 2).Saleemb(Aadhar No.9828 8625 9730), 3).Sabina Yashmin @ Yashmin Nasir (Aadhar No.4258 3735 0473), 4).Jailani @ Abdul Kathar Jailani (Aadhar No.4018 8031 9274), 5).Riyash @ Riyash Kabeer (Aadhar No. 8015 1557 6040) and the defacto complainant (Aadhar No. 5507 1992 1924) are present before this Court in person. They are identified by Mr.M.Paramadurai, SSI, Cumbum North Police Station. All the parties confirmed the compromise arrived at between them.

5. In view of the compromise arrived at between the parties and the nature of allegations and the relationship between the parties, this Court is of the view that no useful purpose would be served in keeping the impugned final report pending in the trial Court. Therefore, this Court is inclined to quash the final report and allow this petition with cost. Therefore, the petitioner is directed to pay a sum of Rs.10,000/-(Rupees Ten thousand only), to the Mediation and Conciliation Centre attached this Bench, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.



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6. The Registry may furnish the certified copy after production of the memo of compliance.

19.09.2025

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

PJL

To

1. The Judicial Magistrate,
Uthamapalayam,
Theni District.

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



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SUNDER MOHAN, J.

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Crl.O.P(MD).No.15755 of 2025

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