



CRL OP(MD). No.15691 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 25/09/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.15691 of 2025

1. Niyas,

2. Jerish,

3. Mariya Ratha Ahash,

4. Mariya Chandra Yogesh,

5. Esthore Parath,

6. Jeyson,

... Petitioners

Vs

1.The State of Tamilnadu,
Rep. by the Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No. 395/2023).

2.Vimala,
W/o.Peter

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records of the impugned FIR Crime No.395/2023 dated

1/10



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11.09.2023 on the file of the respondent Police and quash the same as illegal.

For Petitioners : Mr.SMA Jinnah,

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

For R2 : Mr.B.Subash

ORDER

This Criminal Original Petition is filed seeking to quash the FIR in Crime No.395 of 2023, on the file of the first respondent Police, which was registered for the offences under Sections 147, 148, 294(b), 323, 435 and 506(2) of IPC.

2.The allegation in the FIR is that on account to prior enmity, the petitioners set fire to waste products outside the defacto complainant's house, attacked her, abused her in filthy language and also threatened her 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



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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 FIR may be quashed.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the final report has been filed before the learned Judicial Magistrate No.I, Thoothukudi, deleting the names of the petitioners 3 to 5 and the petitioners 1 and 6 are shown as accused and that a separate final report has been filed against the second petitioner before the Juvenile Justice Board, Tuticorin.

5.The parties have also filed a joint compromise memo dated 24.09.2025. The scanned copy of the compromise memo reads as follows:



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**MEMORANDUM OF CRIMINAL ORIGINAL PETITION FILED
UNDER SECTION 528 OF BNSS**

**IN THE HIGH COURT OF JUDICATURE MADRAS AT
MADURAI BENCH**

(Criminal Original Jurisdiction)
Crl. Op(MD) No. of 2025
Crl.O.P.(MD) No: of 2025

-In-

Crime.No. 395 of 2023
(On the file of the Respondent Police)

- 1. Niyas (M/21/2025),**
S/o.Jeyapal,
5/71, Inigo Nagar,
South Beach Road,
Thoothukudi District.
- 2. Jerish (M/19/2025),**
S/o.Jeyapal,
5/71, Inigo Nagar,
South Beach Road,
Thoothukudi District.
- 3. Mariya Ratha Ahash (M/25/2025),**
S/o.Velington Babu,
5/140, Inigo Nagar,
Thoothukudi District.
- 4. Mariya Chandra Yogesh (M/26/2025),**
S/o.Velington Babu,
5/140, Inigo Nagar,
Thoothukudi District.
- 5. Esthore Parath (M/19/2025),**

Petitioners.

1. நியசு
2. ஜேரிஷ்
3. வ. ஆதிராஜ்
4. மாரியா ராஜா
5. பரத்
6. எஸ்தர் பரத்

**Respondent No.2/
Defacto Complainant**

P. விமலா



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S/o. Guruce,
5/140, Inigo Nagar,
Thoothukudi District.

6. Jeyson (M/24/2025),

S/o.Rushvalt,
5/90, Inigo Nagar,
Thoothukudi District.

... **Petitioners/Accused No. 1**

to 6

- Vs -

1. State Of Tamil Nadu

Rep. by: The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.

(Crime No. 395 of 2023) ... **1st**

Respondent/Complainant

2. Vimala (M/44/2025)

W/o.Peter,
5/7, Inigo Nagar,
Thoothukudi District.

... **2nd Respondent/Defacto**

Complainant

JOINT MEMO FOR COMPROMISE

1. The Petitioners submit that the Defacto complainant namely Vimala lodged a complaint before the Respondent police in which she has stated that on 29.04.2023, Defacto Complainant is residing at the above address further it is said to be alleged by the Defacto complainant that, she already had previous motive with Petitioners, in this juncture on 10.09.2023 at about 3 pm, Eventually A1 and A2 along with one sathish arrived in two wheeler near inigo nagar,

Petitioners.

1. *Signature*

2. *Signature*

3. *Signature*

4. *Signature*

5. *Signature*

6. *Signature*

**Respondent No.2/
Defacto Complainant**

Signature



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where the defacto complainant's son and his relatives had a quarrel between the accused. Further it was turn into a scuffle, and defacto complainant's son had a simple injury and admitted as an inpatient. Further on the same day at about 6.30 pm, defacto complainant's son along with his friends assaulted one jeyapal with hook, thereafter on 11.09.2023 at about 12.30 am, outside defacto complainant's house there was an unusual sound, when the defacto complainant came out for the shock and surprise. There was a fire burning outside his house and accused persons were standing out of his house give life threat by using filthy words to the defacto complainant's family and all accused persons ran away from the spot. By following the same she lodged complaint before Respondent police, in effect of which FIR came to be registered in Crime No. 395 of 2023 dated 11.09.2023 Under Sections 147, 148, 294(b), 323, 435, 506(2) of IPC.

2. The Petitioners further submits that the entire FIR and statements not contained any clear offence against the Petitioners and place of occurrence, all the statements revealed that nothing but self-motivated one. The Defacto complainant and the Petitioners are belonging to same area, already there is previous motive between them regarding fisherman occupation. The Petitioners are young bachelors and goes for fishing for meagre income.
3. The Petitioner humbly submits that now the Defacto Complainant had settled the issue amicably. The petitioners are offering forgiveness to their sins and the defacto complainant also accepted the same and they are decided to settle their issues. Considering the lives and livelihood of the

Petitioners.

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

4. *[Signature]*
5. *[Signature]*
6. *[Signature]*

**Respondent No.2/
Defacto Complainant**

[Signature]



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petitioners. The Respondent No.2 is not willing to prosecute the case against the petitioners and both were compromised respectively.

Therefore, it is most respectfully prayed that this Hon'ble Court may be pleased to accept this compromise memo and the impugned FIR No. 325 of 2023 on the file of the Respondent police 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 on this day of September, 2025

Petitioners.

- | | |
|--------------|-------------------|
| 1. Niyas | 4. G. V. R. S. S. |
| 2. J. Jerish | 5. J. S. S. |
| 3. V. S. S. | 6. S. S. S. |

**Respondent No.2/
Defacto Complainant**

P. S. S.

**Petitioner's Counsel
Counsel**

**Respondent No.2/
Defacto Complainant's**

S. S. S.
(Sd/-)

5.The petitioners, namely, Niyas (Aadhaar No.6252 0296 4476) Jerish (Aadhaar No.5791 8332 7446), Mariya Ratha Ahash (Aadhaar No. 3616 1248 5562), Mariya Chandra Yogesh (Aadhaar No.5522 4311 610300), Esthore Parath (Aadhaar No.4983 5580 6509), Jeyson (Aadhaar No.9432 6130 7071) and the second respondent, namely, Vimala (Aadhaar No.5494 2058 2087) are present before this Court in person. They are identified by Mr.Shanmugam, Special Sub Inspector of Police,



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Thoothukudi South Police Station, Thoothukudi. All the parties confirmed the compromise arrived at between them.

6.Considering the nature of the offences and the fact that the dispute is private in nature and the parties have entered into compromise, this Court is of the view that no useful purpose would be served by keeping the impugned FIR pending investigation. Accordingly, the impugned FIR in Crime No.395 of 2023, on the file of the first respondent police and the consequential final reports filed against the petitioners 1, 2 and 6 are quashed and the Criminal Original Petition is allowed.

25.09.2025

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

To

1. The Judicial Magistrate No.I, Thoothukudi.
- 2.The Juvenile Justice Board, Tuticorin.



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3.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.

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



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SUNDER MOHAN,J

CP

ORDER
IN
CRL OP(MD) No.15691 of 2025

Date : 25/09/2025