



Crl.O.P.(MD) Nos.15704 & 17107 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) Nos.15704 & 17107 of 2025

and

Crl.M.P.(MD) Nos.12803, 12805, 13950 & 13951 of 2025

Crl.O.P.(MD) No.15704 of 2025

1.Pauldurai

2.Basil Sam Stalin @ Basil

3.Amalnathan

4.Jenithdurai

5.Jebastine

6.Ebnaesar Paulraj @
Ebinez Pauldurai

... Petitioners

Vs.

1.The State of Tamil Nadu
Represented by
The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
(Crime No.284 of 2024)

2.Vinithraja

... Respondents



CrI.O.P.(MD) Nos.15704 & 17107 of 2025

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for records in C.C.No. 487 of 2024 on the file of the learned Judicial Magistrate, Nanguneri and quash the same as against the petitioners.

For Petitioners : Mr.R.Anand

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

For R2 : Mr.A.Mohan

CrI.O.P.(MD) No.17107 of 2025

1.Issac Samuel

2.Isravel

3.Vinith Raja

4.Ajay

5.Rajan alias Rajenthiran

6.Meriton

7.Bravin

8.Alwinraj

9.Robin alias Robinsonkumar

10.Mahindran

... Petitioners

Vs.



Crl.O.P.(MD) Nos.15704 & 17107 of 2025

1.The State of Tamil Nadu
Rep. by the Inspector of Police,
Eruvadi Police Station, Tirunelveli District.
(Crime No.285 of 2024)

2.Amalnathan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for records in C.C.No. 487 of 2024 on the file of the learned Judicial Magistrate, Nanguneri and quash the same as against the petitioners.

For Petitioners : Mr.A.Mohan

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

For R2 : Mr.R.Anand

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the final reports in C.C.No.487 of 2024 and C.C.No.488 of 2024, on the file of the learned Judicial Magistrate, Nanguneri, for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. These two quash petitions arise out of Crime Nos.284 and 285 of 2024. The petitioners in both the petitions have been accused of attacking



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the second respondent/defacto complainant in the respective cases and others with hands, sticks, iron rods, and stones, causing injuries to them.

3. Both the learned counsel for the petitioners would submit that, in respect of the same occurrence, the first respondent police have filed final reports in both Crime Nos.284 and 285 of 2024, in violation of PSO 566 and the guidelines issued by this Court, particularly for the very same offences; that the parties have since arrived at a compromise and, as some of the parties are abroad, they could not file a joint compromise memo; that, however, the second respondents/defacto complainants in both the cases are present before this Court and has filed affidavits stating that they have no objection to the quashing of both the final reports; and that this Court may accept the same and quash both the impugned proceedings.

4. It is seen that the defacto complainant and the victim in Crl.O.P. (MD) No.17107 of 2025 are the third and fifth accused in Crl.O.P.(MD) No.15704 of 2025. Similarly, the defacto complainant and two victims, namely Issac and Alwin, are the third, first, and ninth accused in Crl.O.P. (MD) No.17107 of 2025. One of the victims, namely Jebin, is not an accused in any of the cases. Both the defacto complainants are present



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before this Court. They are identified by Mr.P.Shanmugasundaram,
Special Sub-Inspector of Police, Ervadi Police Station. They have
confirmed that they have no objection to the quashing of both the final
reports. They have filed affidavits, which read as follows:

Crl.O.P.(MD) No.15704 of 2025

IN THE MADURAI BENCH OF THE MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Crl.O.P.(MD). No.15704 of 2025
against

C.C.No. 487 of 2024

(on the file of the Judicial Magistrate Court, Nanguneri)

1. Pauldurai,(42/25)
S/o. Chelappa,
2. Basil Sam Starlin @ Basil,(42/25),
S/o. George Selvaraj,
3. Amalnathan, (38/25),
S/o. Perinbanadar,
4. Jenithdurai(40/25)
S/o. Masilamani
5. Sebastine,(47/25)
S/o. Paulraj
6. Ebanesar Paulraj @ EbinczerPauldurai,(23/25)
S/o. Sebastin,

All are residing at:
Dohnavur,
Nanguneri Taluk,
Tirunelveli District.

... Petitioners/Accused No.1 to 3, 5 to 7

-Vs-

1. The State of Tamil Nadu
Represented by
The Inspector of Police,
Ervadi Police Station,
Tirunelveli District.
(Crime No.284/2022) ... 1st Respondent/Complainant
2. Vinithraja,
S/o. Thalavai,
Bose Street, Dohnavur,
Nanguneri Taluk,
Tirunelveli District. ... 2nd Respondent/ Defacto Complainant

Y. Vinith Raja



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AFFIDAVIT FILED BY THE 2ND RESPONDENT

1, Vinithraja, son of Thalavai, Christian aged 25 years residing at Dohnavur, Nanguneri Taluk, Tirunelveli District, now temporarily come down to Madurai, do hereby solemnly affirm and sincerely state as follows:

1. I am the 2nd respondent in the above Criminal Original Petition and the de facto complainant in C.C. No. 487 of 2024 on the file of the Judicial Magistrate, Nanguneri and as such I am well acquainted with the facts and circumstances of the case.

2. I submit that pursuant to my complaint, FIR was registered in Crime No. 284 of 2022 by the 1st respondent Police and after completion of the investigation charge sheet has been filed against the petitioners. The matter is presently pending as C.C.No. 487 of 2024 on the file of Learned Judicial Magistrate, Nanguneri.

3. I respectfully state that the dispute between myself and the petitioners arose due to certain personal misunderstandings. However, after the initiation of proceedings, with the intervention of respectable elders and well-wishers from our village, the matter has been amicably resolved. There is no subsisting grievance between us.

4. I state that I have no objection for quashing of the charge sheet in C.C. No. 487 of 2024 pending on the file of the Judicial Magistrate Court, Nanguneri, as against the petitioners.

5. I further submit that I am executing this affidavit of my own free will, voluntarily and without any coercion or undue influence from any persons. I am aware that the contents of this affidavit will be placed before the Hon'ble High Court in support of the petition seeking quashing of the proceedings.

T. Vinith Raja.



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It is therefore prayed that this Hon'ble Court may be pleased to accept this supporting Affidavit and thus render justice.

Solemnly affirmed at Madurai on this the 10th day of October, 2025 the contents of this affidavit were read out & explained to the Applicant in Tamil who perfect understood the same and signed his name in my presence.

P. Vinith Raja
BEFORE ME

T. Kalaiyaar
ADVOCATE, MADURAI
T. Kalaiyaar, 28/10/25
No.16, Kowthamban,
H. C. Buildings
Madurai
4633643406

Crl.O.P.(MD) No.17107 of 2025

IN THE MADURAI BENCH OF THE MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Crl.O.P.(MD). No.17107 of 2025
Against

C.C.No. 488 of 2024
on the file of the learned Judicial Magistrate, Nanguneri

1. Issac Samuel (M/28)
S/o Paulraj
Kovil Street, Donavur,
Tirunelveli District
2. Isravel (M/39)
S/o Deva Arul
Narayanassamy Kovil Street
Donavur
Tirunelveli District
3. Vinith Raja (M/26)
S/o Thalavai
Bose Street, Donavur,
Tirunelveli District
4. Ajay (M/25)
S/o Jhanson
Narayanassamy Kovil Street
Donavur, Tirunelveli District
5. Rajan Alias Rajenthiran (F/44)
S/o Dharmaraj
Neelasami Street
Donavur
Tirunelveli District
6. Meriton (M/26)
S/o Joseph
Narayanassamy Kovil Street
Donavur, Tirunelveli District.
7. Bravin (M/23)
S/o Joseph
Narayanassamy Kovil Street
Donavur, Tirunelveli District.

P. Vinith Raja



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8. Alwinraj (M/25)
S/o Selvaraj
North Avaranthalai
Puliyurkurichi
Tirunelveli District
 9. Robin alias Robinsonkumar (M/30)
S/o Sathiyakumar
3rd Cross, 6th Street
Eruvadi
Tirunelveli District
 10. Mahindran (M/31)
S/o Perumal
3G, Bose Street
Donavur
Tirunelveli District
- ... Petitioners/Accused 1-5 and 7 to 11

-Vs-

1. The State of Tamilnadu
Rep. by the Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
(Crime No.285 of 2024) ... 1st Respondent/Complainant
2. Amalnathan
S/o Perinbam
50, Santhiosa Street
Donavur
Tirunelveli District ... 2nd Respondent/Defacto Complainant

AFFIDAVIT FILED BY THE 2ND RESPONDENT

1, Amalnathan, son of Perinbam, Christian aged 38 years residing at 50, Santhiosa Street, Donavur, Nanguneri Taluk, Tirunelveli District, now temporarily come down to Madurai, do hereby solemnly affirm and sincerely state as follows:

1. I am the 2nd respondent in the above Criminal Original Petition and the de facto complainant in C.C. No. 488 of 2024 on the file of the Judicial Magistrate, Nanguneri and as such

P. Amalnathan



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I am well acquainted with the facts and circumstances of the case.

2. I submit that pursuant to my complaint, FIR was registered in Crime No. 285 of 2022 by the 1st respondent Police and after completion of the investigation charge sheet has been filed against the petitioners. The matter is presently pending as C.C.No. 488 of 2024 on the file of Learned Judicial Magistrate, Nanguneri.

3. I respectfully state that the dispute between myself and the petitioners arose due to certain personal misunderstandings. However, after the initiation of proceedings, with the intervention of respectable elders and well-wishers from our village, the matter has been amicably resolved. There is no subsisting grievance between us.

4. I state that I have no objection for quashing of the charge sheet in C.C. No. 488 of 2024 pending on the file of the Judicial Magistrate Court, Nanguneri, as against the petitioners.

5. I further submit that I am executing this affidavit of my own free will, voluntarily and without any coercion or undue influence from any persons. I am aware that the contents of this affidavit will be placed before the Hon'ble High Court in support of the petition seeking quashing of the proceedings.

It is therefore prayed that this Hon'ble Court may be pleased to accept this supporting Affidavit and thus render justice.

Solemnly affirmed at Madurai on this the 1st day of October 2025 the contents of this affidavit were read out & explained to the deponent in Tamil who perfectly understood the same and signed his name in my presence

P. Anandhan

BEFORE ME

T. Lakshmanan
ADVOCATE, MADURAI
No. 16, Panchambas,
H.C. Buildings, Madurai.
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6. Considering the fact that this is a case and case in counter; that the first respondent police have violated PSO 566 as well as the directions of this Court; and that since both the second respondents/defacto complainants in the respective cases do not wish to pursue the matter, this Court is of the view that no useful purpose would be served by keeping the impugned final reports pending trial. Accordingly, the impugned final reports in C.C.No.487 of 2024 and C.C.No.488 of 2024, on the file of the learned Judicial Magistrate, Nanguneri, are quashed. The petitioners in Crl.O.P.(MD) No.15704 of 2025 shall pay a sum of Rs.5,000/- and the petitioners in Crl.O.P.(MD) No.17107 of 2025 shall pay a sum of Rs. 5,000/- as costs to the Mediation and Conciliation Centre attached to the Madurai Bench of Madras High Court forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

7. Hence, these Criminal Original Petitions stand allowed.

15.10.2025

JEN

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order



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Copy To:

- 1.The Judicial Magistrate, Nanguneri,
Tirunelveli District.
- 2.The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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