



Crl.O.P.(MD) No.16208 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) No.16208 of 2025

Michael Jabasthian

... Petitioner

Vs.

1.The State of Tamil Nadu rep. by its
The Inspector of Police,
Pettai Police Station, Tirunelveli City.
(Crime No.221 of 2025)

2.Selvi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for records pertaining to Crime No.221 of 2025 dated 01.08.2025 on the file of the Pettai Police Station, Tirunelveli City and quash the same.

For Petitioners : Mr.D.S.Haroon Rasheed

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

For R2 : Mr.S.Sathiya Chidambaram



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ORDER

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2. The allegation in the FIR is that the petitioner and the second respondent/defacto complainant belong to the same village; and that, when the second respondent/defacto complainant was going to the canal for bathing, the petitioner came on a two-wheeler and inappropriately touched the chest of the second respondent/defacto complainant, thereby committing the aforesaid offences.

3. Admittedly, the petitioner and the second respondent/defacto complainant belong to the same village. 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 19th September 2025. 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. of 2025

in

Crime No. 221 of 2025

(On the file of 1st respondent Police)

Michael Jabasthian, (M/26/2025)

S/o.Iruthayraj,

No.9/81B, Rajagopalpuram,

Ramayanpatti,

Tirunelveli District.

--- Petitioner/Sole Accused

-Vs-

1. The State of Tamil Nadu Rep. by its

The Inspector of Police,

Pettai Police Station,

Tirunelveli City.

(Crime No. 221 of 2025) --- 1st Respondent/Complainant

2. Selvi (F/42/2025),

W/o.Murugan,

No. 6C, Kakkanni Street,

Pettai, Tirunelveli District. --- 2nd Respondent/Defacto-

Complainant

JOINT COMPROMISE MEMO

1. The Petitioner/Sole Accused and the 2nd Respondent would jointly submit that the Respondent police has registered a case against the Petitioner/Sole Accused for alleged offences u/s. 75 (1) (i) of BNS and section 4 of TNPHW Act, 2002 in Crime No. 221 of 2025 dated 01.08.2025 based on the complaint given by the

Petitioner/Sole Accused

2nd Respondent/

Defacto-Complainant

Michael Jabasthian

M. Selvi



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Defacto-Complainant i.e, one Selvi, W/o. Murugan who is residing at 6C, Kakkanji Nagar, Pettai, Tirunelveli District who is the 2nd respondent herein.

2. The case of the prosecution is that the Defacto-Complainant is residing in the above mentioned address and her husband by name Murugan are doing agriculture in the said village. The Defacto-Complainant is having 3 children and also doing coolie work. While so, on 01.08.2025 at about 6.00 PM she proceeded nearby Pettai Kakkanji Nagar so as to bath, on that time the accused came by two wheeler from East to West and he touched the breast of the Defacto-Complainant by using the hand. Hence the case has been registered.

3. The real fact of the case is that the petitioner is working in the fish market and on the date of occurrence the Defacto-Complainant was taking bath at Kakkanji Nagar Channel where the specific place allotted to bath for men and the petitioner informed her to bath in the specific place allotted to the women for which there was wordy altercation between them. Due to the said reason the complaint had been lodged. Nothing happened as alleged by the prosecution. Now both side compromised. At present the Defacto-Complainant had compromised with the petitioners. After registering the FIR they have shed all their misunderstanding and

Petitioner/Sole Accused

தி.காஞ்சனா செல்விமணி

**2nd Respondent/
Defacto-Complainant**

ம.செல்வி



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have compromised in the presence of the well-wishers and have mutually agreed to withdraw in the above case in Crime No. 221 of 2025 on the file of the 1st respondent.

4. The petitioner submits that the Petitioner/Sole Accused and 2nd Respondent would jointly submit that the matter has been compromised between both of them with intervention of the mediator and well-wishers of both sides without any inducement made by others. The Defacto Complainant has specifically admitted that she has no objection if the FIR in question is quashed. Further she has given an undertaking that Defacto Complainant is ready to withdraw the complaint and no objection to quash the FIR in Crime No. 221 of 2025 on the file of the 1st respondent.

5. The Petitioner/Sole Accused and the 2nd Respondent would jointly submit that such compromise has been taken place purely with an intention to settle their dispute 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.

Petitioner/Sole Accused

தினகரன் ரெஜிஸ்டிரார்

**2nd Respondent/
Defacto-Complainant**

ம.செல்வி



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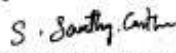
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6. The Hon'ble Apex Court of India has ruled that "the High Court in exercise of inherent power could quash the Criminal Proceedings or FIR the complaint in appropriate Court in order to meet the ends of justice"

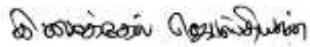
It is therefore prayed that the Petitioner/Sole Accused and the 2nd Respondent jointly pray that this Hon'ble Court may be pleased to take into consideration of the present Joint Compromise Memo and quash the FIR in Crime No. 221 of 2025 dated 01.08.2025 on the file of the Pettai Police Station, Tirunelveli City and thus render Justice.

Dated at Madurai on this 14th day of September, 2025

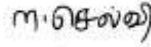

Counsel for the Petitioner


Counsel for the 2nd Respondent

Petitioner/Sole Accused



2nd Respondent/
Defacto-Complainant



4. The petitioner, namely, Michael Jabasthian and the second respondent/defacto complainant, namely, Selvi [Aadhaar No.8356 5569 8413] are present before this Court in person. The parties are identified by Mr.Vimalan, Inspector of Police, Pettai Police Station, Tirunelveli City. All the parties confirmed the compromise arrived at between them.



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5. Considering the nature of the offences, this Court is of the view that no useful purpose would be served by keeping the First Information Report (FIR) pending investigation. Accordingly, the impugned First Information Report (FIR) in Crime No.221 of 2025 on the file of the first respondent police, is quashed. The petitioner 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.

6. Hence, this Criminal Original Petition stand allowed.

15.10.2025

JEN

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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