



Crl.O.P.(MD)No.16434 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.16434 of 2025

Raj Bharath

... Petitioner/1st Accused

Vs.

1.State rep. by,
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
Crime No.226 of 2016.

... 1st Respondent/Complainant

2.Raju

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in S.C.No.187 of 2025 on the file of the learned I Sub Judge, Thuraiyur and to quash the same.

For Petitioner : Mr.S.Muthu Malai Raja

For R-1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

For R-2 : Mr.M.Vinoth



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ORDER

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This Criminal Original Petition is filed to quash the impugned final report in S.C.No.187 of 2025 on the file of the learned I Sub Judge, Thuraiyur, which was filed for the offences under Section 294(b), 341, 325 and 307 of IPC.

2. The allegation in the final report is that on account of prior enmity, the petitioner along with another accused had abused the defacto complainant in filthy language; that he had attacked the defacto complainant with a knife; that he had also attacked L.W.2 on her head and L.W.3 on his chest, face and head and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that though the offence under Section 307 of IPC has been charged against the petitioner, the allegations at best disclose the offence under Section 326 of IPC.

4. The petitioner and the second respondent 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 4th 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 Original Jurisdiction)

Crl.O.P.No. 16434 of 2025

In

S.C.No.187 of 2025

On the file of the Learned 1- Sub Judge, Thuraiyur

RAJ BHARATH Male Aged 38 Years,
Son of M.Paneerselvam
No: 14/1, 7th Cross Street,
Sundar Nagar,
Trichy-21

... Petitioner / 1st Accused

-Versus-

1. STATE: Represented By;
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
Crime No.226 of 2016.

... Respondent / Complainant

2. RAJU Son of Perumal
Male Aged 64 Years
Kottukottagai, Moolakadu,
Near Check Post,
Sengattupatti,
Thuraiyur Taluk,
Trichy District.

... 2nd Respondent / Defacto Complainant

JOINT COMPROMISE MEMO

1. The Petitioner/ 1st Accused and the 2nd Respondent are here with presenting this joint compromise memo in support of Memorandum of Grounds of Criminal Original Petition to quash the proceedings in S.C. No 185 of 2025 on the file of the Learned 1

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- Sub Judge, Thuraiyur for offences under sections 294(b), 341, 325, 324, 326, 307 of Indian Penal Code read with 34 of Indian Penal Code.

2. It is submitted that the concise elucidation of the Charge Sheet is that 2nd Respondent's son L.W.3 had borrowed Rs.50,000/- (Rupees Fifty Thousand only) from the Petitioner's father prior to a year. That on 02-09-2016 the Petitioner went to the residence of the 2nd Respondent and asked L.W.3 to return the money that he had borrowed from his father. L.W.3 expressed his inability to repay the same during when the Petitioner herein asked L.W.3 to send his wife to his residence to cook curry when L.W.3 refused to his demand, the Petitioner got vocal and left the residence. That around 7.30 PM on the same day the 2nd Respondent along with L.W.'s 2 and 3, were standing near Sengattupatti check post the Petitioner and the 2nd Accused arrived in a two-wheeler TN 45 AL 2860 (MO 1) with the intention to do away with the 2nd Respondent and L.W.3 abused them in filthy language and asked whether they will not come to work. That the 2nd Accused attacked the 2nd Respondent using a stick and caused simple injury, and that the 2nd Accused caught hold of the 2nd Respondent during when the Petitioner attacked the 2nd Respondent on his head using a knife (M.O.2) and caused bloody injuries further when L.W.3 resisted the act the Petitioner herein attacked L.W.3 on his chest, face and head using a knife (M.O.2) and he sustained grievous injuries, that L.W.2 sustained simple injury on her head due to the attack by the Petitioner using a knife (M.O.2). Hence the case.

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3. It is submitted that the 2nd Respondent is an adjacent land owner of the Petitioner's father's farm situated at Sengattupatti at the foothills of Pachamalai, and the 2nd Respondent is living along with his family.

4. It is submitted that after the lodging of complaint and at this stage of life pursuant to the advice of family members, well-wishers and friends, the 2nd Respondent herein without any coercion or threat out of his own will and with the concurrence of his wife (L.W.2) and son (L.W.3) has decided to not to prosecute against the Petitioner herein, hence the 2nd Respondent has no objection to quash the proceedings S.C. No. 187 of 2025 on the file of the Learned Learned 1 - Sub Judge, Thuraiyur for offences under sections 294(b), 341, 325, 324, 326, 307 of Indian Penal Code read with 34 of Indian Penal Code.

5. It is submitted that the compromise entered into between the Parties is reduced into writing by way of this Joint Compromise Memo between the Petitioner and the 2nd Respondent and is filed along with the Petition to Quash and respective counsels have signed the same, in agreement to the filing of the quash petition by the Petitioner and express their unconditional willingness to get the case quashed registered based on the complaint preferred by the 2nd Respondent.

6. We pray that this Hon'ble Court maybe pleased to consider this Joint Compromise Memo with the accompanying Memorandum of Grounds of Criminal Original Petition in Crl.O.P.No. of 2025 and quash the proceedings in S.C. No. 187 of 2025 on the file of the Learned 1 - Sub Judge, Thuraiyur for offences under

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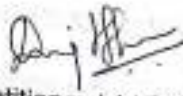


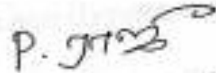
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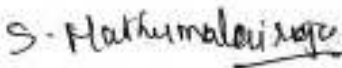
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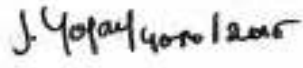
Sections 294(b), 341, 325, 324, 326, 307 of Indian Penal Code read with 34 of Indian Penal Code.

Dated at Trichy, this 4th Day of September 2025


Petitioner / 1st Accused


2nd Respondent / Defacto Complainant


Counsel for the Petitioner


Counsel for 2nd respondent

5. The defacto complainant and the victims, L.W.2 and L.W.3 are present before this Court in person and they were identified by Mr.S.Anandan, Grade I Police Constable, Thuraiyur Police Station, Trichy District. They confirmed the compromise and both the defacto complainant and the victims stated that they do not wish to pursue the complaint in view of the compromise.

6. As stated above, the petitioner along with another accused have been charged for the offence under Section 307 of IPC. The wound certificate



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produced by the petitioner would suggest that the injuries sustained by L.W.3 would at best attract the offence under Section 326 of IPC. The defacto complainant and the victims are not interested in pursuing the case. Further, the second accused has also been acquitted by the Trial Court. Therefore, this Court is of the view that no useful purpose would be served in keeping the impugned proceedings pending trial.

7. Accordingly, the impugned final report in S.C.No.187 of 2025 on the file of the learned I Sub Judge, Thuraiyur is quashed and the Criminal Original Petition stands allowed. The petitioner shall pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as costs to the High Court Legal Services Authority attached to this Bench forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

17.10.2025

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



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To

1. The I Subordinate Court,
Thuraiyur.
2. The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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