

Crl.O.P.(MD)No.6 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.6 of 2025
and Crl.M.P(MD)Nos.12 & 13 of 2025

Karthick alias Karthikeyan

... Petitioner

Vs.

1.The State of Tamilnadu Rep. by
The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
(Crime No.18 of 2022)

2.Dinesh Kumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in C.C.No.13 of 2024 on the file of the Judicial Magistrate Court, Karaikudi and quash the same as against the petitioner

For Petitioners : Mr.C.Susikumar

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal side)

For R2 : Mr.R.Suresh Kumar

ORDER

The petitioner arrayed as A5 has filed this petition to quash the impugned final report in C.C.No.13 of 2010 filed for the offence under



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Sections 147, 148, 294(b), 323, 324 and 506(2) IPC, on the file of the learned Judicial Magistrate, Karaikudi.

2. The allegation is that on account of wordy quarrel, the petitioner along with others had abused the defacto complainant, attacked him with hands and sticks and thus committed the aforesaid offence.

3. Though the quash petition has been filed by only one of the accused out of five accused, the defacto complainant has no objection to quash the C.C.No.13 of 2010 against all the accused.

4. It is also seen that the present defacto complainant/second respondent herein is also an accused in C.C.No.56 of 2024 which culminated from the FIR lodged by one of the accused, namely Muthumanikandan in C.C.No.13 of 2010. However, the accused persons in C.C.No.56 of 2024 in which the defacto complainant is an accused, have not filed a formal quash petition. Therefore, the learned counsel for the second respondent/defacto complainant seeks permission to file a quash petition against C.C.No.56 of 2024.



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5. The second respondent/defacto complainant in this case and the said Muthumanikandan/defacto complainant in C.C.No.56 of 2024 filed a compromise affidavit dated 17th September, 2025 and in the affidavit, both of them have stated that both the cases may be quashed in view of the compromise and the scanned copy of the affidavits read as follows:

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

**Crl.O.P.(MD). No. 6 of 2025
against
C.C.No. 13 of 2024**

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

**Karthick @ Karthikeyan,
S/o. Ravi,
2377, Vairavapuram,
5th Street, Karaikudi,
Sivagangai District.**

... Petitioner

-Vs-

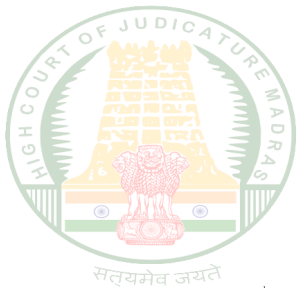
**1) The State of Tamil Nadu
represented by
The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
(Crime No.18/2022) ... 1st Respondent/Complainant**

**2) Dineshkumar,
S/o. Pandi,
3/63, Neru Nagar 2nd Street,
Vairavapuram, Karaikudi,
Sivagangai District. -- 2nd Respondent/ Defacto Complainant**

AFFIDAVIT FILED BY THE 2nd RESPONDENT

I, Dineshkumar, son of Pandi, Hindu, aged years, residing at 3/63, Neru Nagar 2nd Street, Vairavapuram, Karaikudi, Sivagangai District and now temporarily come down to Madurai, do hereby solemnly affirm and sincerely state as follows:

(1) I am the 2nd respondent herein as such I am well acquainted with the facts and circumstances of the case.



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(2) I submit that I am the defacto complainant in the present case and based on my complaint dated 07.04.2022 against the petitioner and others, the 1st respondent registered a case in Crime No.18 of 2022 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(2) of IPC. Further, based on the complaint given by one Muthumanikandan on the above-said date, a case was registered against me and others as Crime No.19 of 2022 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(2) of IPC.

(3) I submit that I came to know that the 1st respondent police completed the investigation in both cases and filed charge sheets. My complaint was culminated as C.C.No.13 of 2024 and the complaint against us was culminated as C.C.No.56 of 2024 on the file of the Judicial Magistrate Court, Karaikudi. Myself, the petitioner, and other accused persons belong to the same village and are friends. There was a dispute during the common village temple festival which resulted in the registration of the present case. Further, admittedly no one sustained any injuries in the said occurrence and no one got treatment from the hospital. Immediately after the occurrence, the respondent police took all of us to the police station and registered a case. Subsequent to the registration of the case, all of us had talks in the presence of elders and villagers and we decided to resolve the dispute amicably. Further, I and all of them decided to close the case. Therefore, prosecuting the case further will not serve any purpose.

(4) I submit that now we have settled the issue amicably. All the accused and the defacto complainants in both cases have no objection to quashing the criminal prosecution pending in C.C.No.13 of 2024 and C.C.No.56 of 2024 before the Judicial Magistrate Court, Karaikudi. Since all of us are working in different places and some of them have gone abroad for their avocation, we were not able to close the case. In the meanwhile,



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the petitioner filed the present quash petition and accordingly, myself as the complainant in Crime No.18 of 2022 and Muthumanikandan, who is the defacto complainant in Crime No.19 of 2022, appeared before this Hon'ble Court and stated that we have no objection to quash both cases. To that effect, I and the said Muthumanikandan filed the affidavit of no objection in quashing both cases entirely in C.C.No.13 of 2024 and C.C.No.56 of 2024 pending before the Judicial Magistrate Court, Karaikudi.

(5) I submit that I am filing this affidavit to record the compromise as well as my no objection. Hence, of my own will, I have decided to file this consent affidavit to quash the proceedings against the petitioner and other accused persons in C.C.No.13 of 2024 entirely. I have taken this decision of my own will and without any undue influence from any corner. In view of the compromise, I have no objection to quash the charge sheets entirely in C.C.No.13 of 2024 and C.C.No.56 of 2024 pending before the Judicial Magistrate Court, Karaikudi.

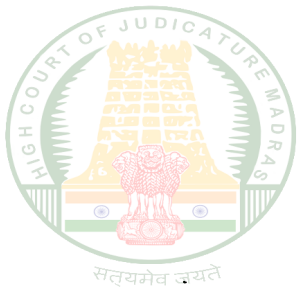
It is therefore prayed that this Hon'ble Court may be pleased to accept this Affidavit of compromise and thus render justice.

Solemnly affirmed before me
and signed his name in my
presence at Madurai on the
day of September, 2025


Before me

Advocate, Madurai


P. HARI VAISHNAVAR
P. Hari Vaishnavar
134 Law Street
H. Court Madurai
875671 5717



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

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... Petitioner

-Vs-

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(Crime No.18/2022) ... 1st Respondent/Complainant

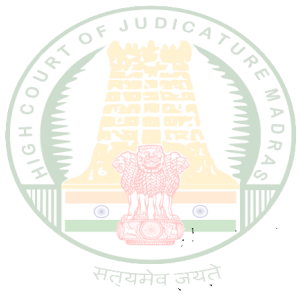
2) Dineshkumar,
S/o. Pandi,
3/63, Neru Nagar 2nd Street,
Vairavapuram, Karaikudi,
Sivagangai District. -- 2nd Respondent/ Defacto Complainant

AFFIDAVIT FILED BY MUTHUMANIKANDAN

I, Muthumanikandan, son of Mookan, Hindu, aged years,
residing at Soodamanipuram 4th Street, Karaikudi Taluk, Sivagangai
District and now temporarily come down to Madurai, do hereby solemnly
affirm and sincerely state as follows:

(1) I am the 2nd respondent herein as such I am well acquainted
with the facts and circumstances of the case.

(2) I submit that I am the defacto complainant in the present case
and based on my complaint dated 07.04.2022 against the petitioner and



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others, the 1st respondent registered a case in Crime No.19 of 2022 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(2) of IPC. Further, based on the complaint given by one Dineshkumar on the above-said date, a case was registered against me and others as Crime No.18 of 2022 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(2) of IPC.

(3) I submit that I came to know that the 1st respondent police completed the investigation in both cases and filed charge sheets. My complaint was culminated as C.C.No.56 of 2024 and the complaint against us was culminated as C.C.No.13 of 2024 on the file of the Judicial Magistrate Court, Karaikudi. Myself, the petitioner, and other accused persons belong to the same village and are friends. There was a dispute during the common village temple festival which resulted in the registration of the present case. Further, admittedly no one sustained any injuries in the said occurrence and no one got treatment from the hospital. Immediately after the occurrence, the respondent police took all of us to the police station and registered a case. Subsequent to the registration of the case, all of us had talks in the presence of elders and villagers and we decided to resolve the dispute amicably. Further, I and all of them decided to close the case. Therefore, prosecuting the case further will not serve any purpose.

(4) I submit that now we have settled the issue amicably. All the accused and the defacto complainants in both cases have no objection to quashing the criminal prosecution pending in C.C.No.13 of 2024 and C.C.No.56 of 2024 before the Judicial Magistrate Court, Karaikudi. Since all of us are working in different places and some of them have gone abroad for their avocation, we were not able to close the case. In the meanwhile, the petitioner filed the present quash petition and accordingly, myself as the complainant in Crime No.19 of 2022 and Dineshkumar, who is the



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defacto complainant in Crime.No.18,of 2022, appeared before this Hon'ble Court and stated that we have no objection to quash both cases. To that effect, I and the said Dineshkumar filed the affidavit of no objection in quashing both cases entirely in C.C.No.13 of 2024 and C.C.No.56 of 2024 pending before the Judicial Magistrate Court, Karaikudi.

(5) I submit that I am filing this affidavit to record the compromise as well as my no objection. Hence, of my own will, as a complainant, I have decided to file this consent affidavit to quash the proceedings against the Dineshkumar and other accused persons in C.C.No.56 of 2024 entirely. I have taken this decision of my own will and without any undue influence from any corner. In view of the compromise, I have no objection to quash the charge sheets entirely in C.C.No.13 of 2024 and C.C.No.56 of 2024 pending before the Judicial Magistrate Court, Karaikudi.

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

Solemnly affirmed before me
and signed his name in my
presence at Madurai on the
day of September, 2025

M. [Signature]
Before me

Advocate, Madurai

Before
A HARIVASHNAVE
P. Nairadine
745/22
114 Alexander
Highway Madurai
875471597.



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6. Today, the second respondent/defacto complainant in this petition is present and the defacto complainant in C.C.No.56 of 2024, the abovesaid Muthumanikandan is also present today and they are identified by Mr.K.R.Ambalavanan, SSI, Alagappapuram Police Station, Sivagangai District and both of them confirmed the compromise as stated in their affidavits.

7. This is a case and counter case and the defacto complainants in both cases have no objection in quashing the proceedings in C.C.No.13 of 2024 and C.C.No.56 of 2024. Considering 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 final reports pending trial.

8. In view of the affidavit filed by the defacto complainant/Muthumanikandan in C.C.No.56 of 2024, though there is no formal petition filed by the accused persons, the proceedings in C.C.No.56 of 2024, is also liable to be quashed.



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9. Accordingly, the proceedings in C.C.No.13 of 2024 and C.C.No.56 of 2024 on the file of the learned Judicial Magistrate, Karaikudi, are quashed and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

10. The respondent police may inform the other accused persons in both the cases about the quashing of these two proceedings.

18.09.2025

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

To

1. The Judicial Magistrate,
Karaikudi.

2. The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.

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



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SUNDER MOHAN, J.

PJL

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