



WEB COPY

CRL OP No. 5094 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5094 of 2026

and

CrI.M.P.No.3806 of 2026

1. Raja (A1)
2. Mandhiri (A2)
3. Ashok (A3)
4. Sekar (A4)
5. A.P.Kanna (A5)
6. Tamilselvi (A6)
7. Kanchana (A7)

..Petitioner(s)

Vs

1. State rep.by, Inspector of Police,
Bommidi Police Station,
Dharmapuri District.
(Crime No.186/2024)

2. Rajasekar

..Respondent(s)

Prayer: This criminal original petition has been filed under Section 528 of BNSS to call for the records, quash all the proceedings in C.C.No.17 of 2025 on the file of the learned Judicial Magistrate, Pappireddipatti, Dharmapuri District.

For Petitioner(s):

Mr.B.Vasudevan

For Respondent(s):

Mr.Leonard Arul Joseph Selvam

Additional Public Prosecutor for R1

Mr.S.Sivakumar for R2



ORDER

The petitioners, who are the accused facing trial for the offences under Sections 126(2), 296(b), 191(2), 191(3), 115(2), 118(1), 351(3) and 324(4) of the Bharatiya Nyaya Sanhita, 2023 have filed this petition seeking to quash proceedings in C.C.No.17 of 2025 on the file of the learned Judicial Magistrate, Pappireddipatti, Dharmapuri District.

2. The case against the petitioners is that on 26.09.2024, when the petitioners herein were surveying their land with a surveyor at about 2.00 pm., they started to remove the thorny bushes in their fields, at that time they had caused damage to the fields of the de facto complainant, L.W.1. When they were questioned, the petitioners have used unparliamentary words and attempted to assault the de facto complainant. Following the same, the petitioners had further damaged the corn and flowers which had been cultivated by the de facto complainant and others. The petitioners have also damaged the PVC pipeline and threatened the de facto complainant with dire consequences. Hence, the complaint has been lodged and on conclusion of the investigation, the charge sheet has been filed listing 33 witnesses and documents.

3. The contention of the petitioners is that the petitioners are adjacent land owners and the entire issue revolves around the extent of land enjoyed by both the parties. The petitioners engaged a surveyor and while surveying their



portion of land, there occurred a wordy quarrel between the petitioners and the de facto complainant and hence the charge sheet has been filed against the petitioners. Further, there is a civil suit pending between the petitioner and the de facto complainant in O.S.No.09 of 2025 which was referred to lok adalat and now, the matter has been amicably settled between them and the de facto complainant had agreed to withdraw the case.

4. The learned additional Public Prosecutor, appearing for the first respondent Police submits that a civil suit is pending between the petitioner and the de facto complainant. Further, the petitioners by force trespassed into the land of the de facto complainant and caused damages not only to the standing crops but also to the pipeline and on conclusion of the investigation, charge sheet has been filed in this case. He further submitted that the petitioners and the de facto complainant are Pangalis and both having adjacent agricultural lands, since the lands were not with proper boundaries, a complaint with regard to encroachment given. Now, the issue resolved between the parties.

5. The petitioners and the *de facto* complainant/R2 appeared before this Court and they were identified by their respective counsel. Now that, the parties have compromised and filed a joint memo of compromise along with this petition. On being enquired by this Court, the *de facto* complainant stated that he has amicably settled the dispute with the petitioners and he is not willing to



pursue the criminal proceedings and therefore, seeks to quash the same.

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6. The joint memo of compromise dated 21.02.2026 filed by the petitioners and the second respondent is scanned and extracted hereunder:

MEMORANDUM OF CRIMINAL MISCELLANEOUS PETITION
(Under Section 528 BNS (corresponding sec. 482 of Cr.P.C.)
IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal side Jurisdiction)
Crl.U.P. No. 5094 of 2026
in
C.C.No. 17 of 2025
(on the file of the Judicial Magistrate, Pappreddipatti, Dharmapuri District)

1. RAJA, M/A 45 years (A1)
Son of Palanisamy,
2. Mandhir, M/A 42 years (A2)
Son of Palanisamy,
3. Ashok, M/A 51 years (A3)
Son of Palanisamy,
4. Sekar, M/A 61 years (A4)
Son of Palanisamy,
5. A.P.Kanna, M/A 46 years (A5)
Son of Palanisamy,
6. Tamilselvi, F/A 52 years (A6)
Wife of Sekar,
7. Kanchana, F/A 45 years (A7)
Wife of A.P.Kanna.

Nos. 1 to 4 and 6 are residing at Chinnakalur Mattu Valavu, Sarakkapillaiyur post, Kadiyampathi Taluk, Salem District and Nos. 5 and 7 are residing at Door No. 601, ESG Nagar, State Bank Colony, Alagapuram, Salem-4. ... Petitioners/Petitioners/Accused.

1. STATE (rep by The Inspector of Police,
Bemidi Police Station, Dharmapuri District.
(Crime No.181/2024) ... Respondent/Complainant.

2. Rajasekar, M/A 32,
Son of Nataraj,
B.Nadur Kattu Valavu, S.Thurinjipatti post,
Pappreddipatti Taluk,
Dharmapuri District. Respondent Defacto Complainant.

[Signatures]
P. Jeyaraj
P. Jeyaraj
P. Jeyaraj
P. Jeyaraj
Tamilselvi
Tamilselvi



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dispute in peaceful manner and purchased peace among them. On 6.2.2026 Defacto Complainant and the petitioners entered compromise deed in the presence of Notary Public Advocate. On 20th February 2026 we engaged and signed the valid proper registered agreement deed with in Pappireddipatty Sub register office with registered deed document No. 682/2026 dated 20.02.2026.

4) It is submitted that all the offences are triable by Judicial Magistrate, since the issue between both parties are amicably settled, both parties of close relatives, dispute between private persons, it is necessary to quash all the proceedings in CC No.17 of 2025 on the file of the Judicial Magistrate, Pappireddipatty, Dharmapuri District, Otherwise both the parties put to irreparable loss and hardship.

- 5) A1. I Raja is working in a Private company as a Transport Manager.
A2. I Madhiri is doing agricultural work and farming in my own lands.
A3. I Ashok doing my Plumbing and Electrical work in my natives.
A4. I Sekar is working in a School as Security Officer.
A5. I Kanna is doing the Environmental Consultation in my own concern.
A6. I Tamilselvi as a Housewife.
A7. I Kanchana working as a Guest Lecturer in Govt Arts College.

It is therefore humbly prayed that this Hon'ble Court may be pleased to permit the petitioners and Defacto Complainant to compromise on the above matter and quash all the proceedings in CC No.17 of 2025 on the file of the Judicial Magistrate, Pappireddipatty, Dharmapuri District, pending disposal of the quash petition, and thus render justice.

[Handwritten signatures and names:]
D. Jagan... P. Raja... C. Jagan...
P. Raja... S. Tamilselvi...
P. Raja... N. K. Raj... N. Raj...
P. Raja...



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WEB COPY DATED at Chennai, this the 21st day of February 2026.

1. P. gnanaprakasam

2. P. ~~gnanaprakasam~~

3. P. gnanaprakasam

4. P. gnanaprakasam

5. P. gnanaprakasam

6. S. Tamil Selvi

7. M. S. Sundar

Petitioners

B. A. S. on
Ms. No. 20985
Counsel for Petitioners

1. C. DUTTA

2. N. S. Prasad

Defacto Complainant

1. S. S. S. on
21/2/20
Counsel for Defacto Complainant
2nd Respondent



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M.NIRMAL KUMAR, J.

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7. In view of the above joint memo of compromise, this Court is inclined to quash the Charge sheet on the file of the learned Judicial Magistrate, Pappireddipatti, Dharmapuri District and accordingly, this criminal original petition is allowed and the proceedings in C.C.No.17 of 2025 is hereby quashed. Consequently, connected miscellaneous petition stands closed.

27-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
Bommidi police station,
Dharmapuri District.
(Crime No.186/2024)

2. The Judicial Magistrate, Pappireddipatti,
Dharmapuri District.

3. The Public Prosecutor,
High Court, Madras.

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