



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP Nos. 9258 & 9356 of 2026

and

CRL MP Nos. 6612 & 6524 of 2026

Crl.O.P.No.9258 of 2026

Sathiamurthy. S
S/o.Sengeni,
3/497, Periya Street,
Edaiyanchavadi,
Auroville Post, Vanur Taluk,
Villupuram 605 101.

..Petitioner(s)

Vs

1. The State of Tamilnadu
Rep. by The Inspector of Police
Auroville F2 Police Station,
Vanur, Villupuram- 605 111.
2. E.Venkatesan
Sub-Inspector of Police,
Auroville F2 Police Station,
Vanur, Villupuram- 605 111.

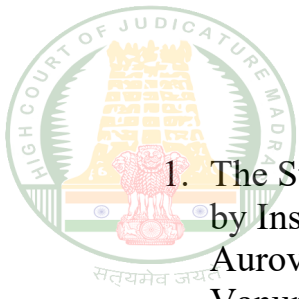
..Respondent(s)

CRL OP No. 9356 of 2026

Sathiamurthy.S
S/o.Sengeni,
3/497, Periya Street,
Edaiyanchavadi,
Auroville Post, Vanur Taluk,
Villupuram 605 101

..Petitioner(s)

Vs



1. The State Rep.
by Inspector of Police
Auroville F2 Police Station,
Vanur, Villupuram 605 111.

2. Rajalakshmi
W/o.Meganathan,
3/494 Periya Street,
Edaiyanchavadi,
Auroville Post, Vanur Taluk,
Villupuram 605 101.

..Respondent(s)

CRL OP No. 9258 of 2026

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., / 528 of BNSS, to call for the records pertaining to C.C.No. 51/2021 on the file of the Learned Judicial Magistrate Vanur, Villupuram District and quash the same with respect to the petitioner.

CRL OP No. 9356 of 2026

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., / 528 of BNSS, to call for the records pertaining to C.C.No. 738/2025 on the file of the Learned Judicial Magistrate ,Vanur, Villupuram District and quash the same with respect to the petitioner and pass such further or other orders.

For Petitioner(s): Ms.A.Loba Mudra in both petitions

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl. Side) for R1
in both petitions

Ms.R.Indumathy for R2 in
Crl.OP.No.9356 of 2026

No appearance - R2 in Crl.OP.No.9258 of 2026



Common Order

Crl.O.P.No.9356 of 2026

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The prayer in Crl.OP.No.9356 of 2026 is to quash the final report in C.C.No.738 of 2025 on the file of the Judicial Magistrate, Vanur, Villupuram District.

2. I have heard the learned counsel appearing on behalf of the petitioner, the learned Government Advocate (Crl. Side) and the learned counsel appearing on behalf of the second respondent and perused the First Information Report, materials collected during the course of investigation and the final report.

3. The gist of allegations in this case is that the de facto complainant claims ownership in respect of the disputed land in question which is in the form of a Cashew Thoppe. During the season of yield, the persons were indulged in harvesting the cashew, at that time, it is stated by the de facto complainant that the petitioner and others picked up quarrel and hit the de facto complainant with the wooden stick and caused grievous injuries as such a case is registered in Crime No.152 of 2020 for the alleged offences under Sections 294(b), 341, 324 and 506(1) of IPC.

4. With reference to the very same incident, the petitioner side had also given a complaint stating that the de facto complainant and his family assaulted



the petitioner's brother and suffered grievous injury and he was also treated at JIPMER. The wound certificate and the AR copy also given and on the strength of the complaint, a case was registered in Crime No. 151 of 2020. Thus, it can be seen that two versions of the same incident that happened on 02.04.2020 at about 4:30 p.m. is given by both the families. It is seen that there is a civil dispute between them claiming ownership with reference to the particular portion of the land.

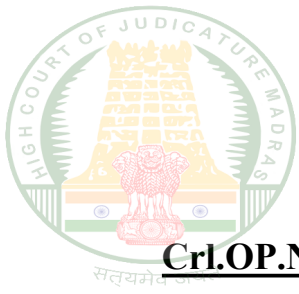
5. In that scenario, as laid down by the Full Bench of this Court in *T.Balaji Vs. Inspector of Police* reported in **2024 (5) CTC 1**, the same Investigating Officer has to investigate and file final report, ultimately by following PSO 566 and, ultimately holding that one of the two versions as correct and the other version being false, if he finds that one party is the aggressor and the other party is the defender. In exceptional cases, Police can also lay charge sheet against both sides, if both sides have unduly exceeded their limits and causes injury to the other side. In this case, as per law, the same Investigating Officer has investigated both the versions. However, he has filed a final report as far as the present case given by the other side in Crime No.152 of 2020, while closed the case as mistake of fact in respect of Crime No.151 of 2020 given by the petitioner's mother. The Investigating Officer is right in doing so, if he had concluded that the version of the one side is erroneous and they are only the aggressor and the other person being the persons who are



attacked. However, in the final report that is filed in respect of Crime No.151 of 2020 is concerned, after investigation, it is found that when there was an altercation, there was only a wordy quarrel and no such incident has taken place. It is not found as if the petitioner side is the aggressor and the injury to the petitioner side is not explained in the said report. Therefore, in the ultimate analysis, the dictum as laid down in *T.Balaji's case referred to supra* in finding one version as correct and one version is false is not followed.

6. Therefore, I am of the view that in this case, the petitioner deserves to succeed. This apart, it is also stated that the petitioner was a juvenile at the time of incident and was also a meritorious law student who made his way to the School of Excellence at Chennai. There was no application of mind with reference to the age of the petitioner at the time of taking cognizance also. It is further stated that the petitioner has also completed his law course and is awaiting enrolment. The same is also kept in mind.

7. Considering all the above, I am of the view that the Crl.OP.No.9356 of 2026 deserves to be allowed and the same is accordingly, allowed. The final report in CC.No.738 of 2025 on the file of the learned Judicial Magistrate, Vanur, Villupuram District shall stand quashed. Consequently, connected miscellaneous petition is closed.

**Crl.OP.No.9258 of 2026**

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8. This case in Crl.OP.No.9258 of 2026 is also an offshoot of the previous case that is being quashed by this Court. Upon receipt of information, when the Police officials went to the place of incident, it is alleged that the petitioner and others also used abusive words and wrongfully restrained the Officers from performing their duty. As far as the abusive words are concerned, it can be seen that it is pursuant to anger and frustration and cannot be deemed as obscene in nature and the offence under Sections 294(b) of IPC is not made out.

9. As far as the offence of restraint and intimidation is concerned, the petitioner is aged about 23 years and it is stated that he was a juvenile at the time of occurrence. The petitioner also expresses regret with reference to any words being spoken against the Police officials. Considering the fact that there was no application of mind at the time of registering the case and, filing final report with reference to the age of the petitioner and considering the fact that the petitioner is a meritorious student who found his way to the School of Excellence, Chennai and now that he said to have been completed his law course also, I am of the view that as far as the petitioner is concerned, the other offences are also not made out.



10. In view thereof, the petitioner is entitled to succeed and for the reasons aforementioned, the Crl.OP.No.9258 of 2026 is also allowed. The final report in CC.No.51 of 2021 on the file of the learned Judicial Magistrate, Vanur, Villupuram in respect of petitioner shall stand quashed. Consequently, connected miscellaneous petitions is closed.

22-07-2026

Neutral Citation: No

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To

1. The Inspector of Police,
Auroville F2 Police Station,
Vanur, Villupuram- 605 111.
2. The learned Judicial Magistrate,
Vanur, Villupuram District.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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CRL OP Nos. 9258 & 9356 of 2



D.BHARATHA CHAKRAVARTHY J.

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CRL OP Nos. 9258 & 9356 of 2026

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