



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 16975 of 2026
and Crl.M.P.Nos.11251 & 11252 of 2026**

Arun
S/o Gowrappan,
Therpettai,
Karimangalam Post and Taluk,
Dharmapuri.

..Petitioner(s)

Vs.

1. The State Rep By, The Inspector of Police
Karimangalam Police Station,
Dharmapuri.
Crime no.61 of 2022
2. Perumal
S/o Gopal,
12/9, Aharam Road,
Karimangalam Post and Taluk,
Dharmapuri.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to CC.No.102 of 2026 on the file of the District Munsif cum Judicial Magistrate, Karimangalam, Dharmapuri.

For Petitioner(s): Mr.M.Vignesh

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side) For R1



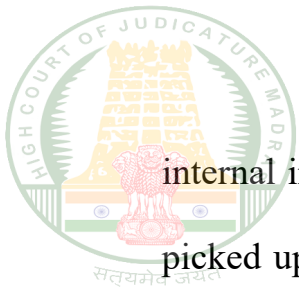
ORDER

This Criminal Original Petition has been filed to call for the records pertaining to CC.No.102 of 2026 on the file of the Court of District Munsif cum Judicial Magistrate, Karimangalam, Dharmapuri, and quash the same.

2. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the 1st respondent.

3. Upon going through the first information report, statements recorded during the course of investigation and the final report, the gravamen of the allegations are that the defacto complainant complained that on account of the enmity, the accused being the family members hit him by iron rod and also stone. As far as the petitioner is concerned, he is arrayed as accused No.3. The specific allegation against him is that he picked up a stone and hit the injured witness on the back.

4. The learned counsel for the petitioner submitted that, on a perusal of the Accident Register, it is evident that no external injuries were noted and that the alleged iron rod was not seized from the accused persons. It was further contended that only vague allegations have been made against the petitioner. A perusal of the statements recorded under Section 161 Cr.P.C., as well as the statement of the doctor, indicates that the injuries sustained by the victim are



internal in nature. Therefore, it will depend upon the nature of the stone that is picked up by the petitioner for the purpose. In any event, these are matters for trial and cannot be taken up as incontrovertible facts so as to agree with the petitioner and quash the final report.

5. Keeping open the liberty of the petitioner to raise all these grounds before the trial Court, the prayer made in the Criminal Original Petition cannot be countenanced and as such stands disposed of.

6. At this stage the learned counsel for the petitioner pleads hardship for the petitioner who is only aged 23 years to attend the trial Court on all hearings as the same interferes with his employment. Considering the same, the presence of the petitioner before the trial Court, except for such hearings as may be insisted upon by the trial Court, shall stand dispensed with. Consequently, the connected miscellaneous petitions are closed.

03-07-2026

Neutral Citation: Yes/No

JER



D.BHARATHA CHAKRAVARTHY, J.

JER

To

1. The District Munsif cum Judicial Magistrate,
Karimangalam, Dharmapuri.
2. The Inspector of Police
Karimangalam Police Station,
Dharmapuri.
Crime no.61 of 2022
3. The Public Prosecutor
High Court of Madras.

CRL OP No. 16975 of 2026

03-07-2026