



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.17212 of 2026

and

Crl.M.P.No.11477 of 2026

1.Sivakumar

S/o. Sakthivel,
29, Anna Illam,
Kodumudi Bypass Road,
Kodumudi, Erode.

2.Gayathri

D/o.Sakthivel,
29, Anna Illam,
Kodumudi Bypass Road,
Kodumudi, Erode.

3.Revathy

W/o. Senthilkumar,
D.No.5, Main Street,
Chennasamudram, Erode 638 151.

..Petitioner(s)

Vs

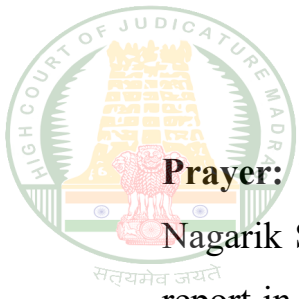
1.The State Rep by

Inspector of Police,
Kodumudi Police Station,
Erode District.

2.P.C.Pramoth

S/o.Chellapan Nair,
The Branch Manager,
Karnataka Bank Limited,
Oppanakara Street Branch,
Coimbatore.

..Respondent(s)



Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and to quash the Final report in CC.No.20 of 2026 dated 11.02.2026 on the file of Judicial Magistrate at Kodumudi, Erode District.

For Petitioner(s): Mr.S.V.Logeswaran

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

ORDER

This Criminal Original Petition has been filed to quash the final report and all further proceedings in C.C.No.20 of 2026.

2. Upon perusal of the final report and other material records of the case, the allegations is that after the bank had taken possession and the property was being guarded by Security guards, the Petitioners and others have threatened them and abused them in filthy language and used dangerous weapons and broke opened the seal and trespassed into the property.

3. The learned counsel for the Petitioners submitted that the falsity of the complaint is manifest from the fact that originally, the Petitioners' father was bedridden on the date of incident. However, upon realizing the falsity of their case, the Respondent Police dropped the name of the Petitioners' father from the final report. Further, it must be seen that the keys were handed over by the Security guards and were never forcibly taken. Since the Petitioners are



asserting their rights over the property, criminal trespass cannot be pre-maturely concluded by the Respondent Police.

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4. I have considered the said submissions made by the learned counsel for the Petitioner.

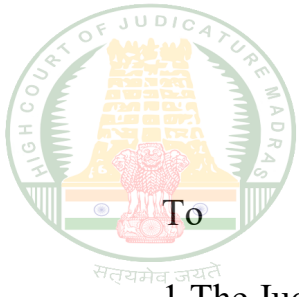
5. The arguments that are made in the nature of factual offence and as such, to be taken only during the course of the Trial and cannot be considered by this Court as incontrovertible facts so as to entertain a quash petition.

6. However, considering the age of the parties, the background of the case and the hardship pleaded, I am of the view that the personal appearance of the Petitioners before the Trial Court except for the hearings where the Trial Court may insist upon their presence shall stand dispensed with.

7. In view thereof, this Criminal Original Petition is disposed of. Liberty is granted to the Petitioner to raise all disputes during the course of the Trial. No costs. Consequently, connected Criminal Miscellaneous Petition is closed.

06-07-2026

Neutral Citation: Yes/No
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To

1. The Judicial Magistrate, Kodumudi,
Erode District.

2. The Inspector of Police,
Kodumudi Police Station,
Erode District.

3. The Public Prosecutor,
Madras High Court.



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CRL OP No. 17212 of 2



D.BHARATHA CHAKRAVARTHY, J.

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and
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