



Crl.O.P.No.18044 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 13.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.18044 of 2026
and Crl.M.P.No.12026 of 2026

1. Ezhumalai
2. Yukendharkumar
3. Thirendar Chouthri
4. Mahendiran
5. Jayakumar

.. Petitioners

Versus

1. State: The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.

2. Dilip Prasanth

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for records and quash the F.I.R in Crime No.231 of 2024 dated 01.06.2024 on the file of the Inspector of Police, Periyapalayam Police Station, Thiruvallur District.

For Petitioners : Mr.M.P.Saravanan

For Respondents : Mr.M.Mohamed Riyaz,
Government Advocate (Criminal Side),
for R1



Crl.O.P.No.18044 of 2026

ORDER

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The prayer made in this Criminal Original Petition is to quash the F.I.R in Crime No.231 of 2024 on the file of the respondent Police.

2. Upon considering the material records of the case, it can be seen that this is a case and counter being registered in two cases in Crime Nos.231 and 232 of 2024. It can be seen that both sides are complaining about the same incident as if the other person is aggressor and that abused in filthy language and also attacked the other person.

3. Learned Counsel for the petitioner would rely upon the order of this Court, dated 13.05.2026 in Crl.O.P.Nos.10954 and 10974 of 2023 to contend that when there is no evidence of any injury, *per se*, it is a ground for quashing the F.I.R and especially, when there is a delay in lodging the complaint, it is a ground for quashing the F.I.R.

4. In the facts and circumstances of the case, it cannot be held that four day delay by itself is an undue delay. Whether there is an evidence in respect of injury or not, are all the matters for investigation prematurely. At this stage, this Court cannot interfere. When the parties



Crl.O.P.No.18044 of 2026

have come to a compromise, certainly, that application can be entertained notwithstanding the disposal of this Criminal Original Petition.

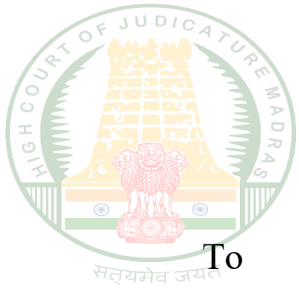
5. In view thereof, the petitioner is at liberty to furnish such information to the Investigating Officer, if he chooses to or to challenge the Final Report, if any filed, in the manner known to law. Since the investigation is at the early stage, the respondent Police is directed to complete the investigation in Crime No.231 of 2024 and file a Final Report by duly following the dictum laid down by this Court in matters of case and counter as per the dictum in the case of *T.Balaji and Anr. Vs. The State*¹, within a period of two months from the date of receipt of a web-copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

13.07.2026

Neutral Citation : no
grs

¹ 2024 SCC OnLine Mad 10644



Crl.O.P.No.18044 of 2026

To

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1. The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.
2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.18044 of 2026

D.BHARATHA CHAKRAVARTHY, J.

grs

Crl.O.P.No.18044 of 2026
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