



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 18692 of 2026

1. Viswanathan Gurusamy
S/o.Gurusamy,
No.5-UG, Martin Apartments,
Anna Way, Porur Road,
Selvapuram, Coimbatore - 641 026.
2. Deepa Viswanathan
W/o.Viswanathan,
No.5-UG, Martin Apartments,
Anna Way, Porur Road,
Selvapuram, Coimbatore - 641 026.

..Petitioner(s)

Vs

1. The State represented by the Inspector of Police
Selvapuram Police Station,
Coimbatore City,
Coimbatore.
(Crime No.47 of 2026)
2. K.Sargunan
S/o.Krishnasamy,
No.4/54A, Vaithiyar Arumuga Udiyar Street,
Telungupalayam,
Coimbatore.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the impugned FIR in Crime No.47 of 2026 on the file of the 1st Respondent and Quash the same as an illegal abuse of the process of law and pass such further or other orders as this Honourable Court may deem fit and proper.



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For Petitioner(s):

MR.R.VINEETH

For Respondent(s):

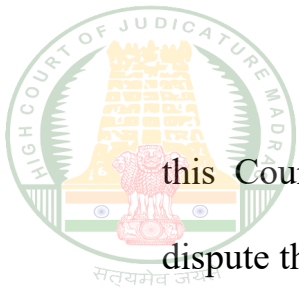
MR.R.RAJASEKARAN
COUNSEL FOR GOVERNMENT OF TAMIL
NADU (CRIMINAL SIDE) FOR R1

ORDER

The prayer in the Criminal Original Petition is to quash the FIR in Crime No.47 of 2026 on the file of the 1st respondent Police registered for the offences under Sections 329(3), 324(4), 296(b), 115(2) & 351(3) of BNSS.

2. Upon considering the arguments on either side and perusing the material records of the case, it can be seen that the above FIR came to be registered on complaint by the second respondent herein stating that he was in the motor shed with reference to Survey No.594/1B and upon hearing some noise, when he came out, he saw that some unknown persons were demolishing the shed. Upon being confronted the other person, the person said that the land belongs to one Deepa Viswanathan and hit the de facto complainant with hands and legs and at that stage, the Police came on rounds and rescued him and hence, the complaint.

3. The learned counsel would submit that the petitioners are the owners of the property and they were not even present at the site. They purchased the property for establishing the Hospital and earlier, directions were granted by



this Court for police protection. Merely because the third person want to dispute the title, unnecessarily, a criminal colour has been given and they are all dragged in a criminal case. They are even having the video footages of what happened on the site.

4. If unnecessarily for a civil dispute, criminal colour is granted, certainly, it is a matter for interference, but however, in this case the allegations are factual in nature and once the de facto complainant submits that he was hit by the persons present there and was rescued by the Police, even if the petitioners has got any video evidence etc. to the contrary, it will be very well open for the petitioners to produce it before the Investigating Officer. All the earlier orders passed by this Court including the order passed in the Police protection petition etc., can be produced before the investigating authority, if the petitioners so chooses. The investigating authority shall consider all the materials before filing the final report and conclude the investigation in a fair manner. It will be open for the petitioners to raise the contentions at the appropriate stage.

5. With the above observation, the Criminal Original Petition stands disposed of.

16-07-2026

Neutral Citation: No
KKN



D.BHARATHA CHAKRAVARTHY, J.

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To

1. The Inspector of Police,
Selvapuram Police Station,
Coimbatore City,
Coimbatore.
- 2.The Public Prosecutor,
High Court of Madras, Chennai.

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