



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 18200 of 2026
and Crl.M.P.Nos.12136 and 12137 of 2026**

1. K.Shanmugam
S/o.Kaliyannagounder,
No.27/1, Gandhi Street,
Thanneer Panthal Pudhur,
Kagalur, Gobichettipalayam Taluk,
Erode District.
2. Murugammal
S/o.Shanmugam,
No.27/1, Gandhi Street,
Thanneer Panthal Pudhur,
Kagalur, Gobichettipalayam Taluk,Erode
District.
3. Murugan
S/o.Palani,
No.447, Nagathalaguppu,
Maravadi,Kumpalapadi,
Dharmapuri District.
4. Kandhasamy
S/o.Kaliyannanm,'
No.1/88, Om Sakthi Kovil Street,
Gobichettipalayam Taluk,Erode District.

..Petitioner(s)

Vs

1. The State Rep. by The Inspector of Police,
Gobichettipalayam Police Station,
Erode District.Crime No.59/2026
2. AppusamyS/o.Chinnathambi Gounder,
No.14, Mariyamman Kovil Street,
Mettuvalavu, Gobichettipalayam Taluk,Erode
District.

..Respondent(s)



Prayer: This petition is filed under section 528 of BNSS to call for the entire records connected with Charge Sheet C.C.No.94 of 2026 on the file of the Learned Judicial Magistrate No.1, Gobichettiyapalayam and quash the same and pass such further or other orders as this Honble Court may deem fit and proper and thus render justice.

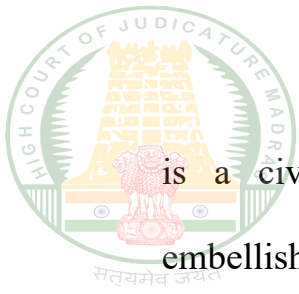
For Petitioner(s): Mr.R.Anishkumar
For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate

ORDER

The prayer in this Criminal Original petition is to quash the final report filed in C.C.No.94 of 2026 on the file of the Learned Judicial Magistrate No.1, Gobichettiyapalayam.

2. Upon perusal of the First Information report and the materials collected during the investigation and the final report it can be seen that on account of the property dispute on 26.02.2026 there was an occurrence, in which it is alleged that the accused attacked the defacto complainant with key chain and the accused suffered bleeding injuries. Further the accused also verbally abused the defacto complainant in filthy language.

3.The learned counsel for the petitioner would submit that in the evidence of the Doctor it can be seen that known three persons attacked and thereafter four persons are now implicated. Thus, it can be seen that merely because there



is a civil dispute the same is dressed up as a criminal dispute and embellishment is made.

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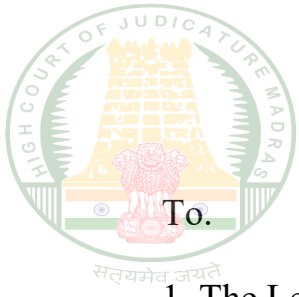
3. I have considered the rival submission made by either side and perused the material records of the case.

4. In the materials the Accident Register copy evidencing injury and the statement of the Doctor who has treated is also there, so it cannot be said that there is no material at all. The contention that are made by the learned counsel for the petitioner are factual in nature to be raised during the course of the Trial. With such liberty kept open, the prayer made in the Criminal Original petition cannot be countenanced and such this petition is disposed of. Consequently the connected miscellaneous petitions are closed.

5. At this stage the learned counsel for the petitioners submits that the petitioners are put to grave prejudice, in as much as they are made to attend the Criminal Court. Considering the hardship i.e pleaded except for the necessary hearings that are necessary insisted upon by the Trial Court, the petitioners appearance before the Trial Court for the other hearings shall stand dispensed with.

13-07-2026

Neutral Citation: Yes/No
smn



To.

1. The Learned Judicial Magistrate No.1, Gobichettipalayam

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

3. The Public Prosecutor,
High Court, Madras

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CRL OP No. 18200 of 2



D.BHARATHA CHAKRAVARTHY, J.

SMN

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