



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 21581 of 2023

and

CRL MP No. 14886 & 14887 of 2023

1. Manikandan
S/o. Mr.Kandasamy, Sanjiviyur,
Soorapalli Village, Mettur Taluk, Salem
District.

2.Raja
S/o. Palaniyappan

3.Santhosh
S/o. Mr.Murugan, Petitioners 2 And 3
Are Residents Of Door No.15-1-8,
Senkuttai, Soorapillai Village, Mettur
Taluk, Salem District.

4.Murugan
S/o. Mr. Palaniyappan, Senkuttai,
Soorapalli Village, Mettur Taluk, Salem
District.

Petitioner(s)

Vs

1. The State Rep.By
The Inspector Of Police,
Jalagandapuram Police Station,
Salem District.
(Ref Crime No.249/2022 Dated
02.10.2022)

2.Subramaniam
S/o. Mr.Chinnagounder, Sanjiyur,
Soorapalli Village, Mettur Taluk,
Salem District.



Respondent(s)

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PRAYER : Criminal Original petition has been filed under Section 482 of Cr.P.C praying to call for the records and quash the proceedings in connection with STC.No.412/2023 on the file of the Judicial Magistrate No.I, Mettur, Salem District for offences under sections 294(b) and 352 IPC and thus render justice.

For Petitioner(s): Mr. C.Arun Kumar

For Respondent(s): Mr. M. Mohammed Riyaz
Government Advocate (Crl. Side)
For R1
Mr. M.R.Jothimanian For R2

ORDER

The prayer in this Criminal Original Petition is to quash the proceedings in STC No. 412 of 2023 on the file of the Judicial Magistrate No.1, Mettur, Salem.

2. Upon considering the First Information Report, the materials collected during the investigation, the final report, and the other records filed along with the petition, it can be seen that there is a dispute between the de facto complainant and the accused with reference to the partitioning of properties and a car. It is alleged that the accused demanded the car keys and hit the de facto complainant. The very same version was also given by the other side; FIRs were registered in both cases, and final reports were filed on identical lines. The present case is STC No. 412 of 2023, and the counter-case is STC No. 413 of 2023. Verbatim contradictory versions were presented by the investigating



officer. Therefore, when two versions with reference to the same incident are given by both sides, the police cannot mechanically file final reports in both cases without investigating the matter, finding out who was the aggressor and who was the defender, and following Police Standing Order 566 along with the dictum of the Full Bench of this Court in *Balaji and Others v. State*, reported in (2024) Supreme(Online)(MAD) 25038.

3. Though it has been subsequently recorded in some judgments that this Court, while exercising its power under Section 482 of the Cr.P.C., can order further investigation to correct such defects, the facts and circumstances of the present case reveal that the incident itself has become stale, and the other issues are also stated to have been resolved. Consequently, I am of the view that both cases can be quashed.

4. In view thereof, this Criminal Original Petition No. 21581 of 2023 is allowed on the following terms:

i. The final reports and proceedings in STC No. 412 of 2023 and STC No. 413 of 2023 pending on the file of the Judicial Magistrate No.1, Mettur, Salem, shall stand quashed in their entirety. Pending petitions, if any, are closed.

29-07-2026

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Neutral Citation: Yes/No



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CRL OP No. 21581 of 2023



**D.BHARATHA
CHAKRAVARTHY J.**

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To

1. The Judicial Magistrate No.1, Mettur, Salem.
2. The The Inspector Of Police, Jalagandapuram Police Station,
Salem District.
3. The Public Prosecutor, High court, Madras.

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