



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

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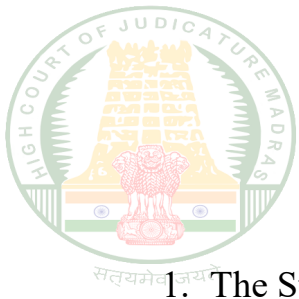
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 29327 of 2025

and

CRL.MP.Nos.19930 & 19932 of 2025

1. Deivanai
W/o.Doss,
No.31, School Street, Kadaperi, Thiruneermalai
Road,
West Tambaram,
Chennai - 600 045.
2. Rajeshwari
W/o.Velayutham
No.31, School Street, Kadaperi, Thiruneermalai
Road,
West Tambaram,
Chennai - 600045.
3. V.Saravanan
S/o.Velayutham,
No.31, School Street, Kadaperi, Thiruneermalai
Road,
West Tambaram,
Chennai - 600045.
4. S.Mugunthanraj
S/o.Velayutham,
No.31, School Street, Kadaperi, Thiruneermalai
Road,
West Tambaram,
Chennai - 600045.
5. C.Pushparaj
S/o.Chinnathambi,
No.31, School Street, Kadaperi, Thiruneermalai
Road,
West Tambaram,
Chennai - 600045.



..Petitioner(s)

Vs

1. The State Represented by,
The Inspector of Police,
T-1, Tambaram Police sTation,
Chennai.
Crime No.310/2024
2. Muthulakshmi
No.23, School Street,
Thiruneermalai Main Road, Kadaperi,
West Tambaram,
Chennai - 45.

..Respondent(s)

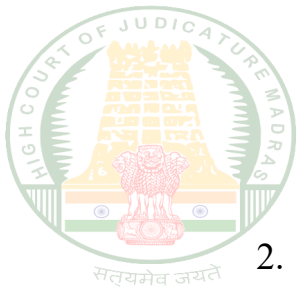
PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records in C.C.No.362 of 2025 pending on the file of the Learned Judicial Magistrate - I, Tambaram and quash the same as against this petitioner and thus render justice.

For Petitioner(s): Mr.R.Vivekananthan

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Criminal Side) for R1
No appearance for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the final report in C.C.No.362 of 2025 pending on the file of the learned Judicial Magistrate-I, Tambaram.



2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. It is seen from the records that one Sakthivel and Deivanai are brother and sister and are residing as neighbours. There exists a dispute between them with regard to the compound wall and the boundary of their respective properties, in this regard, a civil suit in O.S.No.103 of 2024 is pending on the file of the District Munsif Court, Tambaram.

4. While so, an occurrence is alleged to have taken place on 22.06.2024. The daughter of Sakthivel, namely Muthulakshmi, lodged a complaint on the same day at about 8.50p.m., stating that the occurrence had taken place at around 6:00 PM., wherein her aunt and other family members had jointly assaulted her by pushing her down and attacking her with bricks and iron rods. Based on the said complaint, the respondent police registered a case in Crime No.310 of 2024 for the offences under Sections 147, 148, 294(b), 341, 324 and 506(1) of IPC. Upon completion of investigation, a final report was filed and taken on file as C.C.No.362 of 2025.

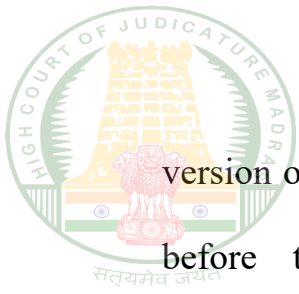
5. Two days after the occurrence, i.e., on 24.06.2024, with reference to the very same incident, a complaint was lodged on behalf of the third



respondent by one K. Subramani, setting out a rival version of the occurrence.

According to the said complaint, the defacto complainant in Crime No. 310 of 2024 and her family members had verbally abused and assaulted the other family members with bricks. It was further stated that the complainant's wife had sustained injuries and was admitted to the hospital and therefore, the complaint could not be lodged immediately. It was also alleged that there was a subsequent threat, following which the complaint came to be lodged. Based on the said allegations, the respondent police registered a case in Crime No.309 of 2024 for the offences under Sections 294 (b), 341, 324 & 506(1) of the Indian Penal Code. It is stated that the investigation was completed and the final report has been taken on file in C.C.No.370 of 2026.

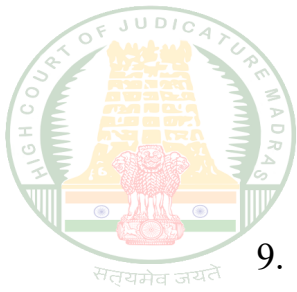
6. Upon perusal of the materials collected during the course of investigation, this Court is of the view that the present case cannot be treated as one where both families independently exceeded their limits and assaulted each other. The complaints clearly disclose rival versions of the very same occurrence. In such circumstances, both complaints ought to have been investigated together. The Investigating Officer ought to have followed the procedure contemplated under Police Standing Order (PSO) No.566, as explained and mandated by the Full Bench of this Court in ***T. Balaji and Another V. State rep. by The Inspector of Police, Chennai*** reported in (2024(2) LW (Crl.) 175). The Investigating Officer was required to ascertain the true



version of the occurrence identify the aggressor and place only one final report before the jurisdictional Court, while referring the other complaint appropriately. Instead, without reconciling the rival versions and by merely examining the witnesses in both cases, contradictory final reports have been filed before the Court.

7. Though this Court, in appropriate cases, has directed further investigation at the initial stage to rectify such defects and to enable the Investigating Officer to place the correct version before the Court, this Court is not inclined to adopt such a course in the present case. The parties are closely related, being siblings, and the genesis of the dispute lies in a civil dispute relating to the boundary of their properties, which is already the subject matter of O.S.No.103 of 2024 pending before the competent Civil Court. The parties can work out their rights before the Civil Court.

8. In view of the inherent defects in the investigation and the failure to follow the settled procedure governing the investigation of case and counter-case, this Court is of the considered view that not only the proceedings challenged in the present petition, but also the counter-case, deserve to be quashed.



9. Though notice has been served on the second respondent, there is no representation on her behalf.

10. In the result, this Criminal original Petition stands allowed. The final reports and the consequential proceedings in C.C.No.362 of 2025 and C.C.No.370 of 2026, both pending on the file of the learned Judicial Magistrate No.1, Tambaram, are hereby quashed.

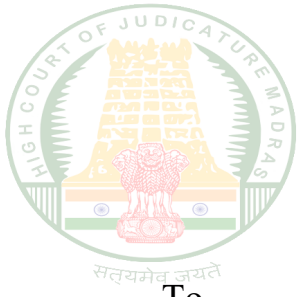
11. The parties are directed to diligently prosecute the civil suit pending between them so that their respective rights over the disputed property may be finally adjudicated by the competent Civil Court.

Consequently, connected miscellaneous petitions are closed.

21-07-2026

Neutral Citation: Yes/No

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To
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1. The learned Judicial Magistrate - I, Tambaram.
2. The Inspector of Police,
T-1, Tambaram Police sTation,
Chennai.
3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 29327 of 2



D.BHARATHA CHAKRAVARTHY, J.

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CRL.MP.Nos.19930 & 19932 of 2025**

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