



Crl. O.P.(MD) No.14629 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

**Crl.O.P(MD).No.14629 of 2024
and
Crl.M.P(MD).No.9126 of 2024**

Lakshmanan @ Ramesh

... Petitioner

Vs

1. The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli.
Crime No.103/2017.

2. Kanthan

... Respondents

PRAYER: To call for the entire records pertaining to the proceedings in CC No. 100/2023 on the file of the Judicial Magistrate, Nanguneri, Tirunelveli and Quash the same as far as the petitioner is concerned and pass such any or other orders.

For petitioner : Mr.R.L.Dhilipan Pandian

For R1 : Mr.G.Ganesh Kumar
Government Advocate (Crl.Side)

For R2 : Mr.A.Sivasubramanian



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ORDER

The present petition has been filed by the petitioner herein / 6th accused in C.C.No.100 of 2023, on the file of the learned Judicial Magistrate, Nanguneri, Tirunelveli, seeking to quash the charge sheet, wherein he has charge sheeted for the offence under Sections 294(b) of IPC.

2. A perusal of the charge sheet reveal that at about 11.30 P.M., on 06.09.2017, while participating in the village temple festival, the other accused persons are said to have damaged the car of the defacto complainant. While the petitioner/A6 is said to have abused the defacto complainant.

3. According to the learned counsel appearing for the petitioner, the parties are relatives and they had gone there to participate in the annual function of the family deity and other than the allegation under Section 294(b) of IPC, no other charge had been laid against the petitioner herein. He further submits that there is no allegation that he has caused annoyance to the general public.



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4. Per contra, learned counsel appearing on behalf of the 2nd respondent strongly objected to the submissions made on the side of the petitioner and submitted that petitioner being a practicing advocate, is causing problem every now and then during the temple festival. He further submitted that petitioner is in habit of abusing others especially during the temple festival and therefore, he raised his strong objections with regard to the quashing of the FIR.

5.He further submitted that, when specific overt acts are alleged against the petitioner herein, the question of quashing the FIR does not arise.

6. The learned counsel appearing for the 1st respondent submitted that there are no other complaints or FIR as against the petitioner in the past 9 year period.

7. I have considered the arguments advanced by the learned counsel appearing for the petitioner and perused the material records of the case.



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8. As seen from the charge sheet, the other accused persons are said to have damaged the car of the defacto complainant. The only allegation against the petitioner is that he is said to have abused the defacto complainant and that too it is not directed as against the defacto complainant. It is only a general observation made by the petitioner herein.

9. Considering the fact that the petitioner has been participating in the same temple festival in the subsequent years and there is no FIR as against him, this Court is of the considered opinion that the allegation as against the petitioner is only an abuse of process of law. Nevertheless, the petitioner is warned to be cautious in future and not to get involved himself in these kind of incidents.

10. With the said observations, the charge sheet in C.C.No.100 of 2023, on the file of the learned Judicial Magistrate, Nanguneri, Tirunelveli, stands quashed. Accordingly, the criminal original petition stands allowed. No costs. Consequently, connected miscellaneous petition stands closed.

02.07.2026

Index : Yes / No
Internet : Yes / No
rgm



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R.VIJAYAKUMAR, J.

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