



Crl.OP(MD).Nos.21285 & 18610 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED ON : 18.08.2026

ORDER PRONOUNCED ON : 21.08.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)Nos.21285 & 18610 of 2025
and Crl.MP(MD).Nos.18271, 18272, 15362 and 15363 of 2025

Crl.OP(MD).No.21285 of 2025:

1.Soundarapandian

2.Pandiselvam

3.Rajangam

4.Selvi

5.Keerthana

....Petitioners/Accused Nos.1 to 5

Vs

1.The State of Tamil Nadu Rep.by
The Inspector of Police
Thirumangalam Town Police Station
Thirumangalam
Madurai District
Crime No.91 of 2025

...1st Respondent/Complainant

2.Ratha Preethi

...2nd Respondent/Defacto Complainant

Crl.OP(MD).No.18610 of 2025:



Crl.OP(MD).Nos.21285 & 18610 of 2025

1.Sakthi Rao
2.Ratha Preethi

3.Chandra Bai

....Petitioners/Accused Nos.1,2 & 3

Vs

1.State of Tamil Nadu
Rep.by the Inspector of Police
Thirumangalam Town Police Station
Madurai District
Crime No.92 of 2025

....1st Respondent/Complainant

2.Selvi

....2nd Respondent/Defacto Complainant

PRAYER in Crl.OP(MD).No.21285 of 2025: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned charge sheet in C.C.No.551 of 2025 dated 16.04.2025 on the file of the Judicial Magistrate, Tirumangalam and quash the same.

PRAYER in Crl.OP(MD).No.18610 of 2025: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned charge sheet in CC.No.504 of 2025 on the Judicial Magistrate Court, Tirumangalam, Madurai District and to quash the same as illegal.

Crl.OP(MD).No.21285 of 2025:

For Petitioners	: Mr.V.Balasundarakumar
For Respondents	: Mr.V.Shathurthi Raja Government Advocate(Crl.side) for R1
	:Mr.M.Vinoth Kumar for R2

Crl.OP(MD).No.18610 of 2025:

For Petitioners	: Mr.M.Vinoth Kumar
For Respondents	: Mr.V.Shathurthi Raja



Crl.OP(MD).Nos.21285 & 18610 of 2025

Government Advocate(Crl.side) for R1

:Mr.C.Ponmanaselvan for R2

COMMON ORDER

These two Criminal Original Petitions have been preferred by the accused arrayed in C.C.No.504 of 2025 and C.C.No.551 of 2025 respectively on the file of the Judicial Magistrate Court, Thirumangalam, seeking to quash the charge sheets laid against them.

(A). Factual Matrix:

2. The accused in C.C.No.504 of 2025 stand charged for offences punishable under Sections 296(b), 115(2), 118(1), 324(4) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3. The accused in C.C.No.551 of 2025 stand charged for offences punishable under Sections 191(2), 296(b), 115(2), 118(1), 324(4), 133 and 351(3) of the Bharatiya Nyaya Sanhita, 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4. A perusal of the records would disclose that two First Information Reports came to be registered in Crime Nos.91 and 92 of 2025 on the file of the Thirumangalam Town Police Station on 17.03.2025. In both the cases, the



date and time of occurrence have been set out as 17.03.2025 at 1.00 p.m. The prosecution is, therefore, one of case and counter case arising out of one and the same transaction. Upon completion of the investigation, two independent charge sheets came to be laid before the Judicial Magistrate Court, Thirumangalam, in C.C.Nos.504 and 551 of 2025. Assailing the same, the accused in the respective cases have invoked the inherent jurisdiction of this Court.

(B). Submissions of the learned counsel appearing on either side:

5. Learned counsel appearing for the petitioners in Crl.OP(MD).No. 18610 of 2025 would submit that the charge sheet in C.C.No.504 of 2025 attributes to the petitioners the damaging of the CCTV equipment installed in the house of the defacto complainant and the hurling of abuses at her, and that the first petitioner is alleged to have assaulted the defacto complainant and to have criminally intimidated her.

6. He would further contend that neither the CCTV equipment said to have been damaged nor the wooden log said to have been wielded by the first petitioner has been recovered in the course of the investigation. Placing reliance upon the opinion of the Doctor, he would submit that the injuries sustained by the defacto complainant are simple in nature. According to him, the non-recovery of the CCTV equipment would unmistakably indicate that a



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false case has been foisted upon the petitioners herein.

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7. Per contra, learned counsel appearing for the defacto complainant in Crl.OP(MD).No.18610 of 2025 would submit that the petitioners assaulted the defacto complainant, thereby occasioning grievous injuries, and that the contentions urged on the side of the petitioners fall squarely within the province of the trial and cannot be gone into in a petition for quashing.

8. A perusal of the charge sheet in C.C.No.551 of 2025 would disclose that the petitioners therein are alleged to have attacked the defacto complainant with a small hammer and a sledge hammer and to have damaged the cement pillars. It is further alleged that the petitioners caused damage to the shed to the tune of Rs.20,000/-, that they abused and assaulted the defacto complainant thereby causing her injuries, and that they threatened the husband of the defacto complainant and caused him injuries.

9. Learned counsel appearing for the petitioners in Crl.OP(MD).No. 21285 of 2025 would contend that where the prosecution is one of case and counter case, the Investigating Officer ought not to have laid two charge sheets without first ascertaining as to who was the real aggressor, and that the learned Magistrate ought not to have taken cognizance in both the cases but ought to have returned the charge sheet, without prejudice to the contentions of the petitioners. He would further submit that though the charge sheet



proceeds on the footing that a small hammer and a sledge hammer were employed in the attack upon the defacto complainant, neither weapon has been recovered or cited as a material object before the Court, and that the prosecution is, in such circumstances, wholly false.

10. Per contra, learned counsel appearing for the defacto complainant in Crl.OP(MD).No.21285 of 2025 would submit that the petitioners therein attacked the defacto complainant and caused serious injuries to her eyes, and that the contentions raised on the side of the petitioners are matters for trial and furnish no ground for quashing the charge sheet.

11. Since the First Information Reports and the charge sheets arise out of a case and counter case, the quash petitions have been tagged together and are disposed of by this common order.

12. Heard the learned counsel appearing for the petitioners and the respondents on either side and perused the material records.

(C). Discussion:

13. As borne out by the charge sheet in C.C.No.504 of 2025, there is a specific accusation to the effect that the petitioners therein damaged the CCTV equipment and assaulted the defacto complainant with a wooden log. Admittedly, neither the damaged equipment nor the wooden log has been recovered or cited as a material object. The expert opinion on record would



clearly establish that the injuries sustained by the defacto complainant are simple in nature.

14. A perusal of the charge sheet in C.C.No.551 of 2025 would reveal that the defacto complainant is said to have been attacked with a small hammer and a sledge hammer and that the cement pillars are said to have been damaged. Admittedly, none of the said weapons has been recovered or cited as a material object. In such view of the matter, this Court has no hesitation in holding that the charge sheets in both the cases do not make out any prima facie case as against the respective accused persons, and that the continuance of the criminal proceedings as against the petitioners in both the cases would be nothing but an abuse of the process of law.

(D). Conclusion:

15. In view of the above deliberations, this Court is inclined to pass the following order:

(a) The charge sheet in C.C.No.504 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, is hereby quashed and Crl.OP(MD).No. 18610 of 2025 stands allowed.

(b) The charge sheet in C.C.No.551 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, is hereby quashed and Crl.OP(MD).No. 21285 of 2025 stands allowed. Consequently, the connected miscellaneous



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petitions are closed.

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21.08.2026.

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
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To
1.The Judicial Magistrate
Thirumangalam

2.The Inspector of Police
Thirumangalam Town Police Station
Thirumangalam
Madurai District
Crime No.91 of 2025

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

R.VIJAYAKUMAR, J.

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