



WEB COPY

CRL OP No. 22502 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 22502 of 2025

and

Crl.M.P.No.15395 of 2025

R.Anandakumar @ Sakthi

Petitioner(s)

Vs

1. J.J.Saravanan

2.The Inspector of Police,
Town Police Station,
Dharmapuri District.

Respondent(s)

PRAYER

This Criminal Original Petition has been filed under Section 528 of BNSS Act to call for the records pertaining to the proceedings in C.C.No.119 of 2024 on the file of the Learned Judicial Magistrate No.I, Dharmapuri and Quash the same.



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For Petitioner(s): Mr. P.M.Jayachandran

For Respondent: Mr. R.Vinothraja,
Govt. Advocate (crl.side)
for R2

ORDER

This criminal original petition has been filed to quash the CC No.119 of 2023 pending on the file of the Judicial Magistrate No.1, Dharmapuri.

2. According to the petitioner, first respondent, who is the co-brother of the petitioner/accused, had sent a complaint to the second respondent police as well as to the Superintendent of Police, Dharmapuri. It was alleged that the petitioner waylaid the first respondent/defacto complainant's car, pulled him out, abused him in filthy language, assaulted him and caused damaged to his car worth about Rs.10,000/-. Since no action has been taken, the first respondent filed a private complaint before the Judicial Magistrate No.1, Dharmapuri, which was taken on file in CC No.119 of 2023.Hence the present petition has been filed to quash the same.



3. Heard the learned Government Advocate (crl.side) appearing for the

2nd respondent .

4. On perusal of the materials placed before this Court, it is seen that the 2nd respondent/defacto complainant had lodged a private complaint for the offences under Sections 294(b), 323, 324, 506(ii), 341, 355, 307 IPC r/w.3 and 4 of PPDL Act. The Trial Court, after considering the evidence of the witnesses 1 to 3, had taken cognizance of the offences under Sections 294(b), 323, 324 & 506(ii) of IPC.

5. In such view of the matter, merely on the basis of the submissions made on behalf of the petitioner, the complaint cannot be quashed. when there are prima facie materials against the petitioner, this Court cannot make a roving enquiry as to the factual aspects submitted by the petitioner. If no offence is made out from the evidence, it is well open to the Court below to discharge the accused. Hence, I do not find any merits to quash the C.C. at this stage.



6. Accordingly, this Criminal Original Petition is dismissed. However, the Trial Court is directed to dispose of the case, on its own merits, and in accordance with law, as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

13-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

To

1. The Judicial Magistrate No.I,
Dharmapuri.

2. The Inspector of Police,
Town Police Station,
Dharmapuri District.



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N.SATHISH KUMAR J.

mrp

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