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CRL OP No. 22626 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 22626 of 2025

and

Crl.M.P.No.15468 of 2025

R.Anandakumar

Petitioner(s)

Vs

1. J.J.Saravanan

2.The Inspector of Police,
Mathur Police Station,
Krishnagiri 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.724 of 2024 on the file of the Learned Judicial Magistrate, Pochampalli and Quash the same.

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



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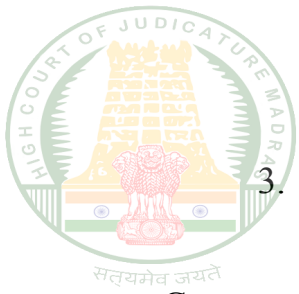


For Respondent: Mr. R.Vinothraja,
Govt. Advocate (crl.side)
for R2

ORDER

This criminal original petition has been filed to quash the CC No.724 of 2024 pending on the file of the Judicial Magistrate , Pochampalli.

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, Krishnagiri. It was alleged that due to property dispute, the petitioner alleged to have abused the defacto complainant, assaulted him, and threatened him with dire consequences. Since no action has been taken, the first respondent filed a private complaint before the Judicial Magistrate , Pochampalli, which was taken on file in CC No.724 of 2024. Hence the present petition has been filed to quash the same.

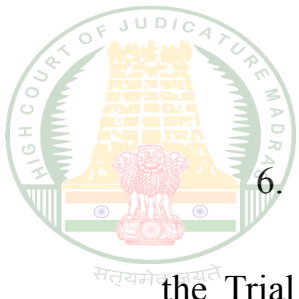


3. Heard the learned counsel for the petitioner and the learned

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, and 506(ii), IPC. The Trial Court, upon consideration, 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.

14.08.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

To

1. The Judicial Magistrate,,
Pochampalli.

2. The Inspector of Police,
Mathur Police Station,
Krishnagiri District.



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N.SATHISH KUMAR J.

mrp

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