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CRL OP No. 27800 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 27800 of 2025 & CrI.M.P.No.18874 of 2025

1. Sachin

S/o. Ramalingam, Paiththandurai main
Road, Eliyathur Village, Chinnasalem
Taluk, kallakurichi District.

Petitioner(s)

Vs

1. The State Rep by the Sub Inspector
of Police
Kachirapalaiyam police Station,
Kallakurichi District. (Crime No.
361/2024)

2. Periyasamy

S/o. Duraisamy, Kattukottai, Eliyathur
Village, Chinnasalem Taluk,
Kallakurichi District.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records in connection with final report in CC.No.332/2025 on the file of the learned Judicial Magistrate No.I, Kallakurichi and Quash the same.



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For Petitioner(s): Mr.R.Raji

For Respondent(s): Mr.K.M.D.Muhilan,
Additional Public Prosecutor – R1

ORDER

Challenging the final report filed in C.C.No.332 of 2025 for the offences under sections 296[b], 118[1] and 351 [3] of BNS, the present Criminal Original Petition has been filed.

2. The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, the petitioner had gone to the house of the defacto complainant and abused him in filthy language and assaulted him with iron rod and also threatened him with dire consequences. The final report has been sought to be quashed on the ground that there are contradictions in the statements of the witnesses and the Accident Register copy. It is the further contention of the petitioner that there is some previous enmity between the parties with regard to the partition and therefore, the case came to be registered. Hence, seeks to quash the final report.



3. On a perusal of records, particularly, the copy of the Accident Register indicate that there is laceration injury on the forehead of the defacto complainant. Further, a perusal of the statement of witnesses, it is seen that there is some previous enmity between the parties with regard to the partition. In such view of the matter, this court is of the view that this is not a fit case to quash the final report at this stage.

4. Accordingly, this Criminal original Petition is dismissed. Consequently, connected miscellaneous petition is closed. However, considering the submissions of the petitioner, the personal appearance of the petitioner is dispensed with before the trial Court, except for receipt of copies, answering the charges, questioning under section 313 Cr.P.C./351 BNSS and on the date of pronouncing judgment and on any other dates as fixed by the trial Court.

13-10-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. Judicial Magistrate No.I,
Kallakurichi.
2. The Sub Inspector of Police
Kachirapalaiyam police Station,
Kallakurichi District. (Crime No.
361/2024)
3. The Public Prosecutor,
High Court, Madras.



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