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Crl.O.P.No.32042 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32042 of 2025
& Crl.M.P.Nos.22201 & 22204 of 2025

Ashok Kumar
S/o Sivalingam

... Petitioner/Accused

Vs.

1.The State,
Rep. by the Inspector of Police
Pollachi East Police Station,
Coimbatore District.
(Crime No.467 of 2024).

... 1st respondent/Complainant

2.Shristi Singh
D/o Pramod Kumar Singh
The Assistant Superintendent of Police,
Pollachi Sub-Division,
Coimbatore District.

.. 2nd Respondent/Defacto complainant

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S.
to call for the records in C.C.No.493 of 2025 on the file of the learned
Judicial Magistrate No.1, Pollachi, and quash the same.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondents : Mr.K.M.D.Muhilan,
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.493 of 2025 on the file of the learned Judicial Magistrate No.1, Pollachi.

2.The case for the prosecution is that the second respondent was serving as the Assistant Superintendent of Police, Pollachi Division. While she was on duty on 17.11.2023, the petitioner called her by phone at around 4:40 p.m., and introduced himself as the Secretary of VCK, Coimbatore South District, and complained about the removal of a banner which was fixed at Vadkipalayam Pirivu, Pollachi Taluk. The second respondent replied to the petitioner to give her 10 minutes, and that she would immediately ask the Station House Officer to go and attend to the problem. But the petitioner used filthy and abusive language against the second respondent over phone. Hence, the second respondent lodged a complaint dated 18.11.2023, against the petitioner before the first respondent police. Based on the second respondent's complaint, the first respondent registered an FIR in Crime No. 467 of 2023 on 18.11.2023 under Sections 296(b), 74 and 351(3) of the BNS, 2023 against the petitioner. On the same day, the petitioner was arrested and sent to judicial custody. After completion of the investigation, the first respondent filed a charge sheet against the petitioner



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in C.C.No. 493 of 2025 on the file of the Judicial Magistrate No. 1, Pollachi,
which is pending.

3.Mr.K.T.S.Sivakumar, learned counsel for the petitioner, would submit that the petitioner used such filthy and abusive language against the second respondent only in the heat of the moment and in a fret of anger and now, he repents for his act. He would also submit that the petitioner undertakes to maintain dignity, respect and responsible behavior towards all persons, particularly, police officials, and that no such incident will ever occur again and he is ready to tender an unconditional apology to the second respondent and file an undertaking affidavit to that effect. He would pray that the apology-cum-undertaking affidavit may be accepted and the proceedings in C.C.No.493 of 2025 on the file of Judicial Magistrate No.I, Pollachi, may be quashed.

4.On the earlier hearing i.e., on 05.12.2025, this Court had directed the learned Additional Public Prosecutor to get instructions from the second respondent.

5.Pursuant to the same, the second respondent/de facto complainant is present through Video Conferencing. The petitioner has tendered his unconditional apology and expressed his remorse to the second respondent.



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She submitted that she is ready to pardon the petitioner, provided he does not repeat such behavior with any one in future.

6.Today, the petitioner had also filed a detailed affidavit, wherein he undertook that no such incident or conduct on his part will ever occur again and that he shall conduct himself properly with responsibility, restraint and respect for law enforcement authorities at all times. The said affidavit of undertaking is taken on file. He is also identified by his counsel as well as by Mr.P.Jawahar, Special Sub Inspector of Police, East Town Police Station, Pollachi.

7.The learned Additional Public Prosecutor appearing on behalf of the respondents-Police submitted that since the second respondent has pardoned the petitioner, she has no objection in the proceedings initiated against the petitioner in C.C.No.493 of 2025 on the file of Judicial Magistrate No.I, Pollachi being quashed.

8.In the present case, the offences in question are purely individual/personal in nature. It involves a dispute between the petitioner



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and the de facto complainant and quashing the proceedings, will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings.

9.Taking into consideration the apology-cum-undertaking affidavit filed by the petitioner and since the second respondent has also pardoned the petitioner and she is also ready to compromise the matter, provided such incident is not repeated in future, this Court is inclined to quash the charge sheet filed against the petitioner in C.C.No.493 of 2025 on the file of Judicial Magistrate No.I, Pollachi. in exercise of its jurisdiction under Section 482 of Cr.P.C./528 BNSS.

10. Accordingly, the charge sheet filed against the petitioner in C.C.No.493 of 2025 on the file of Judicial Magistrate No.I, Pollachi. is quashed and this Criminal Original Petition is allowed. The apology-cum-affidavit of undertaking dated 05.12.2025 filed by the petitioner stating that no such incident or conduct on his part will ever occur again shall form part of the records. The petitioner shall duly abide by the undertaking.

11.12.2025

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To

- 1.The Inspector of Police
Pollachi East Police Station,
Coimbatore District.
- 2.The Assistant Superintendent of Police,
Pollachi Sub-Division,
Coimbatore District.
- 3.The Public Prosecutor,
High Court of Madras, Chennai



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A.D.JAGADISH CHANDIRA J.

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