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CrI.O.P.No.33773 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.33773 of 2025
and CrI.M.P.No.23618 of 2025

1. Amsavalli
2. Kumarasamy
3. Ramasamy
4. Velmurugan
5. Kengaiyammal

... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
Edaikkal Police Station,
Ulundurpet, Kallakurichi District.
Crime No.37 of 2024.

2. Mathurampal

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records relating to the First Information Report in Crime No.27 of 2025 dated 16.02.2025 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.D.Murugan

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

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This petition has been filed seeking to quash the First Information Report in Crime No.27 of 2025 dated 16.02.2025 on the file of the first respondent Police.

2. The case of the prosecution is that on the basis of the complaint lodged by the second respondent, the first respondent, Police had registered a case against the petitioners for the offences under Sections 191(2), 296(b), 133 and 115(2) of BNS and Section 4 of the Prohibition of Harassment of Women Act, 2002. Hence, the present petition has been filed seeking to quash the said FIR in Cr.No.27 of 2025.

3. The learned counsel for the petitioners submits that it is case of case and counter case. The petitioners are not the aggressors, whereas the de facto complainant and the parties are the aggressors.

4. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent, Police submits that the petitioners had assaulted the de facto complainant and others and that a counter case in Cr.No.28 of 2025 is also pending. The complainant in Cr.No.28 of 2025 had approached this



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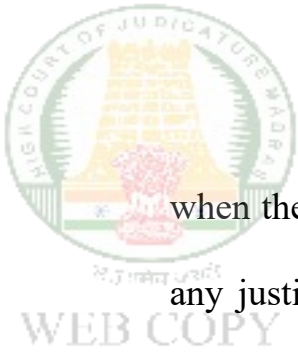
Court in CrI.O.P.No.33861 of 2021, seeking a direction to file the final report, and this Court, by order dated 11.10.2025, directed the respondents to complete the investigation and file the final report within a period of three months.

5. He further submits that investigation is being proceeded with in both cases and that, at this stage, the FIR cannot be interdicted. He further submits that a fair and proper investigation will be conducted and that final reports will be filed in the respective cases.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. Taking into consideration the aforesaid submissions, it is seen that there are allegations and counter-allegations between the parties and that a counter case in Cr.No.28 of 2025 is also pending. It is not in dispute that this Court, by order dated 11.10.2025 made in CrI.O.P.No.33861 of 2021, has already directed the respondent-Police to complete the investigation and file the final report within a stipulated time.

8. The investigation in both cases is presently in progress. At this stage,



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when the investigation has not yet been completed, this Court does not find any justification to interdict the FIR or stall the investigation. Hence, this Court is not inclined to quash the proceedings in Crime No.27 of 2025.

9. Accordingly, the criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

12.12.2025

Neutral Citation: Yes/No
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To

1. The Inspector of Police,
Edaikkal Police Station,
Ulundurpet, Kallakurichi District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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