



Crl.O.P.(MD)No.1323 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2025

CORAM

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD)No.1323 of 2025
and Crl.M.P.(MD)No.896 of 2025

Suriya @ Suri

... Petitioner

Vs

1. The State of Tamilnadu Represented by
The Inspector of Police,
Malaiyur Police Station,
Pudukkottai District.

2. Murugesan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
To call for the records relating to the Crime No. 284 of 2020 on the file of
the respondent No.1 police station and Quash the same against the
petitioner.

For Petitioner : M/s.S.Mohammad Kasim

For Respondents 1 : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor



Crl.O.P.(MD)No.1323 of 2023

ORDER

WEB COPY

This Petition has been filed to quash the F.I.R in Crime No.284 of 2020 on the file of the first respondent police.

2. The crux of the case is that the second respondent/*defacto* complainant gave a complaint before the first respondent police stating that on 28.08.2020, the *defacto* complainant questioned about the uncovered drinking water pipe laid by the Panchayat, due to which, a wordy altercation arose and the accused persons abused him and his daughter and also assaulted them. Based on the same was registered in Crime No.284 of 2020 on 08.05.2023 for the offence under Sections 294(b), 323, 324 and 506(ii) of IPC.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent. Perused the materials available on record.

4. On perusal of the records, this Court satisfy with the ingredients of the offences under Sections 294(b), 323, 324 and 506(ii) of IPC, and the same is required to be investigated by the police officer. There is some



specific allegations against the petitioner in respect of causing injuries to the *defacto* complainant.

WEB COPY

4.1.Further, the Hon'ble Supreme Court in the following cases,

- ***Gimpex (P) Ltd. v. Manoj Goel*** reported in **2022 (11) SCC 705 :: 2021 SCC Online SC 925,**
- ***Amish Devgan v. Union of India***, reported in **(2021) 1 SCC 1 : (2021) 1 SCC (Cri) 247 :: 2020 SCC OnLine SC 994,**
- ***H.P. Cricket Assn. v. State of H.P.***, reported in **(2020) 18 SCC 465 : (2021) 3 SCC (Cri) 555 : 2018 SCC OnLine SC 2419,**
- ***Rajeev Kourav v. Baisahab***, reported in **(2020) 3 SCC 317 : (2020) 2 SCC (Cri) 51 : 2020 SCC OnLine SC 168,**
- ***Saranya v. Bharathi***, reported in **(2021) 8 SCC 583 : (2021) 3 SCC (Cri) 377 : 2021 SCC OnLine SC 634**

had held that the High Court has no inherent powers to interfere with the investigation, unless it is found that the allegations do not disclose the commission of a cognizable offence or the power of investigation is being exercised by the police malafidely and the High Court, while exercising its jurisdiction either under Section 482 of Code of Criminal Procedure or under Article 226 of Constitution of India petition seeking for quashing of



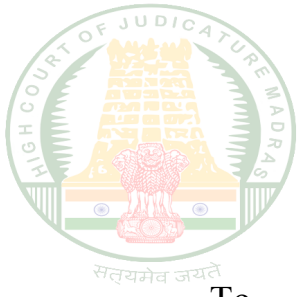
Crl.O.P.(MD)No.1323 of 2025

FIR, should be extremely cautious and slow to interfere with the investigation. Hence, this Court finds no reason to entertain this quash petition when the allegations made in the FIR, *prima facie* constitute the offences under Sections 294(b), 323, 324 and 506(ii) of IPC. Further, this Court is unable to accept the argument of the learned counsel for the petitioner to appreciate the material produced before this Court and the defence of the petitioner at this stage.

5. Accordingly, this Criminal Original Petition is dismissed. The respondent Police is directed to file final report in Cr.No.284 of 2020 before the concerned Court within a period of six (6) months from the date of receipt of copy of this order. The petitioner is at liberty to file a petition for quash, after filing of final report, if so advised. Consequently, connected Miscellaneous Petition is closed.

27.01.2025

NCC :Yes/ No
Index :Yes/ No
Internet :Yes/ No
PNM



Crl.O.P.(MD)No.1323 of 2025

To
WEB COPY

- 1.The Inspector of Police,
Malaiyur Police Station,
Pudukkottai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.1323 of 2025

K.K.RAMAKRISHNAN,J.

PNM/*sbn*

ORDER IN
Crl.O.P.(MD)No.1323 of 2025
and Crl.M.P.(MD)No.896 of 2025

27.01.2025