



Crl.O.P.(MD)No.2057 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.2057 of 2024

Dharma @ Tharmalingam

... Petitioner/Accused NO.2

Vs.

1.The State

Represented by
Inspector of Police,
Kadayanallur Police Station,
Tenkasi District
(Crime No.348 of 2023)

... 1st Respondent/Complainant

2.Mariselvam

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to FIR in Crime No.348 of 2023 dated 05.09.2023 on the file of the Inspector of Police, Kadaiyanallur Police Station, Tenkasi District and quash the same as against the petitioner.

For Petitioners : Mr.S.M.Anantha Murugan

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)



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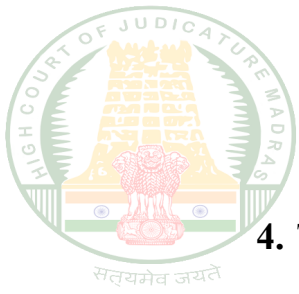
ORDER

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The petitioner seeks quashing of FIR in Crime No.348 of 2023 dated 05.09.2023 on the file of the first respondent police filed for the offence under Section 381 IPC.

2. The learned counsel for the petitioner would submit that the allegations in the FIR is that the petitioner along with others had entered into the house of the defacto complainant and stolen cash of Rs.18 lakhs; and that the names of some of the accused were deleted in the final report, which suggests that the complaint is false.

3. The Additional Public Prosecutor appearing for the respondent/State per contra submitted that pursuant to the investigation, the first respondent police found that the petitioner along with three others were involved in the offence and deleted the names of some of the accused, who were not involved in the offence. The question, as to whether the petitioner is also involved in the offence or not, is factual in nature and that cannot be adjudicated in this quash petition.



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4. The points raised by the learned counsel for the petitioner are factual in nature and that cannot be adjudicated in this quash petition.

5. In fine, this petition is dismissed by giving liberty to the petitioner to raise his defenses before the trial court.

08.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
CM

To

1. Inspector of Police,
Kadayanallur Police Station,
Tenkasi District
(Crime No.348 of 2023)

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

CM

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