

Crl.O.P.(MD)No.9826 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.06.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.9826 of 2025

and

Crl.M.P.(MD)Nos.7241 and 7242 of 2025

1. Indira
2. M.S.Ravichandran
3. Raja Mutharasu ... Petitioners

versus

1. State of Tamil Nadu rep. by
The Inspector of Police,
Aranthangi Police Station,
Aranthangi Town & Taluk,
Pudukkottai District.

2. Fajira Begum ... Respondent

Prayer : Petition filed under Section 528 of BNSS, to call for the records pertaining to the impugned charge sheet in C.C.No.1 of 2025 on the file of the Judicial Magistrate Court, Aranthangi and quash the same as illegal.

For Petitioners : Mr.M.Sridharan

For R1 : Mr.A.S.Abul Kalaam Azad,
Additional Public Prosecutor



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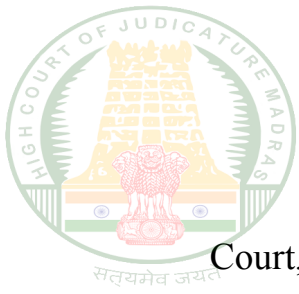


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ORDER

The petitioners are accused Nos.2 to 4 in C.C.No.1 of 2025 on the file of the Judicial Magistrate Court, Aranthangi. They moved this petition to quash the said criminal proceedings pending against them.

2. The learned counsel appearing for the petitioners submits that the complaint of the 2nd respondent registered by the respondent Police in Crime No.333 of 2024 was closed as action dropped. However, it has been now re-opened that the final report has been filed in a mechanical manner. According to him, the second respondent/defacto complainant himself wrote a letter to the respondent Police not to prosecute his complaint. Now, the defacto complainant has changed his stand and filed a protest petition and same has been taken on file by the trial Court. He further submits that it is purely a civil dispute and the defacto complainant has executed a sale agreement before the Sub Registrar Office and the 3rd petitioner has filed a specific performance suit as against the defacto complainant. By considering all these facts, the respondent Police has closed the said complaint. However, the trial



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Court, without any reason, has taken the complaint on file and also issued summons by assigning C.C.No.1 of 2025.

3. Mr.A.S.Abul Kalaam Azad, learned Government Advocate (CrI. Side), who takes notice for the first respondent, submits that the complaint was closed by the respondent Police on the letter given by the defacto complainant.

4. This Court considered the rival submissions made.

5. Though the petitioners claim that a suit for specific performance is pending before the Civil Court, the case of the defacto complainant is that the document itself has been created under threat. The respondent Police, who registered the case as against the petitioners in Crime No. 333 of 2024 for the offences under Sections 294(b), 406, 420, 506(1) IPC and Sections 3 and 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act (2003), has closed the case based on the alleged letter said to have been given by the defacto complainant. However, the defacto complainant has appeared before the Court denying



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the same that the letter has been obtained under threat. The trial Court, after satisfying with the materials, which have been placed before the Court, has taken the complaint on file.

6. Since the trial Court, after satisfying with the materials placed, has taken the complaint on file and also considering the manner in which the respondent Police has closed the complaint without any investigation on the alleged letter given by the defacto complainant, this Court is not inclined to interfere with the said criminal proceedings.

7. Accordingly, this Criminal Original Petition is dismissed. The petitioners are at liberty to appear before the trial Court and prove their innocence. Consequently, connected miscellaneous petitions are closed.

12.06.2025

Index : Yes / No.
Internet : Yes / No.
NCC : Yes / No.
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To

1. The Inspector of Police,
Aranthangi Police Station,
Aranthangi Town & Taluk,
Pudukkottai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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