



CrIOP(MD)No.11676 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

RESERVED ON : 29.08.2025
PRONOUNCED ON : 25.11.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrIOP(MD)No.11676 of 2025 and
CrIMP(MD)No.8861 of 2025

Sarathkumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
The Sub Inspector of Police,
Madukkur Police Station,
Thanjavur District.
[Crime No.245 of 2017]

2.R.Mahendran,
The Sub Inspector of Police,
Madukkur Police Station,
Thanjavur District.

3.The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Chennai.

...Respondents

[R-3 was *suo motu* impleaded by this
court vide order dated 29.08.2025]

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, to call for the records relating to
crime No.245 of 2017, dated 11.11.2017 on the file of the 1st respondent
police and quash the same as against the petitioner.



CrlOP(MD)No.11676 of 2025

For Petitioner : Mr.S.Deenadhayalan
For Respondent : Mr.T.Senthil Kumar,
No.1 Additional Public Prosecutor
For Respondent : No Appearance
No.2

ORDER

The petitioner / A5 in Crime No.245 of 2017 on the file of the Inspector of Police, Madukkur Police Station, Thanjavur district has filed this petition to quash the proceedings, which is pending against him in Crime No.245 of 2017, dated 11.11.2017.

2.The case in Crime No.245 of 2017 was registered based on the complaint of the 2nd respondent as against the petitioner and four others on 11.11.2017 for the offence under Section 399 IPC. The case of the prosecution is that on 11.11.2017 at about 2.00 pm when the 2nd respondent defacto complainant / the Special Sub Inspector of Police was on patrol duty along with one Sakthivel, Special Sub Inspector of Police (187), one Sridharan, Special Sub Inspector of Police (561) and one Thirunavukkarasu, Special Sub Inspector of Police (1490), they got a secret information, they proceeded to the occurrence place and found that this petitioner and four others sitting near Avvaiyandi tank and were planning to commit robbery. When the police attempted nab them, they fled the place and therefore the 2nd



CrIOP(MD)No.11676 of 2025

respondent / defacto complainant lodged the above complaint before the Inspector of Police, Madukkur police station on 11.11.2017 at about 3.00pm.

One Muthulakshmi, Inspector of Police received the said complaint on 11.11.2017 at about 3.00pm and registered the case in Crime No.245 of 2017 for the offence under Section 399 IPC. She took up the investigation and went to the place of occurrence, prepared an observation mahazar at about 5.00pm, recorded the statement of one Thangavel and Sivasakthi and also recorded the statement of the 2nd respondent/ defacto complainant and three other police officers, who accompanied the defacto complainant on the same day. She also examined six other witnesses. This first information report is kept pending for investigation from 11.11.2017 and therefore, the petitioner has filed this petition to quash the proceedings in Crime No.245 of 2017.

3.The learned counsel for the petitioner submits that in view of the pendency of this first information report the petitioner is not in a position to get any job in India. Citing the pendency of this case, the police clearance certificate is not issued to him and therefore, he is unable to get any job in abroad also. His application for visa has also been rejected due to the pendency of this criminal case. The learned counsel by referring to the FIR submits that this complaint has been foisted on presumption and surmises, without any materials. By referring to the statements, the learned counsel has



CrlOP(MD)No.11676 of 2025

pointed out that mere assembly by itself would not constitute an offence under Section 399 IPC and the ingredients for the offence under Section 399 IPC are not available in this case. The case is pending for the past 8 years at the investigation stage. Therefore the future of this petitioner and other accused is spoiled. He further submits that it also amounts to violation of the fundamental rights guaranteed under Article 21 of the Constitution of India. The learned counsel has relied on the order of this court in i.***Sakthiganesh vs. The State, rep by The Inspector of Police, Thiruvaiyaru Police Station (Crl.O.P.(MD)No.20829 of 2021)***; ii.***Karthikeyan Vs The state represented by Inspector of Police, Vadapalani Poice Station, T.Nagar, Chenna and another (CrlOP(MD)No.24326 of 2019)***. The learned counsel also claims that the petitioner has to be compensated suitably for the false case registered against him.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The case in Crime No.245 of 2017 has been registered based on the complaint of the 2nd respondent / the Special Sub Inspector of Police that on 11.11.2017, based on a tip off, the defacto complainant and three Special Sub Inspectors of Police at 2.00pm found the accused hatching a plot near a tank



to commit robbery. Considering the manner in which the case was registered and kept pending, this court by earlier order dated 10.07.2025 directed the Superintendent of Police, Thanjavur district to look into the first information report, the materials if any, collected by the investigating officer and to file a report as to the manner in which the first information report has been registered and also the reasons for not concluding the investigation for the past 8 years. Accordingly, the Superintendent of Police has filed the report on 22.07.2025 as under:

“a) A case in Crime No. 245 of 2017 was registered on 11.11.2017 under Sections 399 IPC by Inspector of Police Tmt.Muthulakshmi, based on a complaint filed by the petitioner Tr.R.Mahendran, Sub Inspector of Police against Five individuals, namely 1.Alavudeen (27) S/o Jagabar Ali, 2. Aasif Ali (19) s/o Thajudeen,3. Riyavueen, S/o. Jakeer Ushan, 4. Muthukumar s/o Kittu, 5. Sarathkumar s/o Chitravel. In the complaint, on 11.11.2017 at around 2.00 pm, while the petitioner along with Special Sub-Inspector Mr. Sridharan, Special Sub-Inspector Mr. Sakthivel and Special Sub-Inspector Mr.Thirunavukkarasu on patrol duty, on the northern side of Avvaiyandi Kulam near Madukkur Chetty Street when they noticed a group later identified as 1. Alauddin 27/17 S/S Jagabar Ali, 2. Asif Ali 19/17 s/o Thajudeen, 3. Riyavueen s/o Jakeer Ushan, 4. Muthukumar s/o Kittu, 5. Sarathkumar s/o Chitravel were found with intention to hatch a conspiracy to enter an isolated house or a remote



village cooperative society with a view to commit dacoity. When the police tried to catch them, they fled away from there.

5.I submit that upon assuming charge, I issued specific directions to the Jurisdictional Deputy Superintendents of Police to ensure that final reports are filed expeditiously in all the pending UI cases. I have conducted regular review meetings and warned that delays would lead to administrative action against defaulting officers.

6.I submit that from assuming charge on 04.01.2025, had taken effective steps to reduce pending under-investigation (UI) cases.

As a result of regular reviews and coordination, 8,621 UI cases were disposed of in six months. Specifically, 405 cases were charge sheeted and e-filed in Madukkur Police Station alone.

7.I respectfully submit that Crime No. 245/2017 was not yet been investigated. Since the following Inspectors of Police:

1.Tmt.T.Muthulakshmi (untill 14.12.2017), 2.Tr. A.Ammadurai (from 14.12.17 to 14.04.18), 3. Tr. A. Anandathandavam, (from 14.04.18 to 10.03.19) 4.Tr.R.Senthilkumar (from 18.03.19 to 20.09.20) 5. Tr. S.Karthikeyan, (from 22.09.20 to 19.03.21) 6. Tr.S.Venkatachalam, (from 20.03.21 to 21.07.21) 7.Tr. P.Periaiah, (from 22.07.21 to 28.11.21) 8.Tr.A.Durairaj (from 16.02.22 to 02.09.24) 9.Tr. V.R. Annadurai, (from 03.09.24 to 03.11.24) 10.Tr.M. Dhandapani, (from 07.11.24 to till date), not pursued investigation, the filing of final report in this case



got delayed. Hence for the lapses on the part of the above Inspectors charge has been initiated against them ur 3(a) of TNPSS (D&A) Rules 1955 vide PR.Nos. 95,96,97,98,99,100,101,102,103/2025 respectively by the Superintendent of Police, Thanjavur district, and for Tr. Karthiekyan, a show cause notice has been issued since he is promoted as Deputy Superintendent of Police.

8.I further submit that steps have now been taken to prevent such lapses in the future. Regular review meetings are being conducted, and the Jurisdictional Deputy Superintendents of Police are made directly responsible for ensuring that all final reports are filed promptly and in accordance with legal procedures.”

6.In this report though the Superintendent of Police has addressed the delay in filing the final report, he has not addressed the concern of this court with regard to the manner in which the first information report has been registered. As per the complaint, the place of occurrence is nearby a tank surrounded by agricultural fields. It is not known as to what information was received by the 2nd respondent and the necessity for conducting patrol at 2.00 pm in an agricultural field. This court has called for the case diary in Crime No.245 of 2017 and also perused the same. The case diary does not disclose any secret information, said to have have been received by the 2nd respondent. The observation mahazar and the sketch disclose that the



occurrence place is near a water body surrounded by agricultural fields.

The translated version of observation mahazar is extracted as under:

“Today on 11.11.2017 at 5.00pm, I Muthulatchmi, Inspector of Police, observed the occurrence spot in north side, near bush Avvaiyandikulam, in Cr. No. 245/17 in Madukkur Police Station U/s. 399 IPC before the witnesses 1). Thangavel 58/17, S/o. Seenivasan, Bagir Colony, Avvaiyandikulam, Madukkur, 2). Sivasakthi 24/17 S/o. chinnappa, bajanaimadatheru, Madukkur and made this observation mahazar as follows: -

The police station is situated 2 kms away from the occurrence place. The occurrence place is near to the farm next to the bush in the northern side of the crematory building which lies in the northern bank of Avvaiyandikulam pond. Ravuthar’s barren land lies west to the occurrence spot and southern to the Narayanan’s Sheet House. Its western side is the Northern bank of the Avvaiyandikulam Pond. Coconut farms lie in the south-east side part of the occurrence spot and Dineshkumar’s Coconut grove in the south. Its North side is the southern bank of Avvaiyandikulam pond and it has one small mutt.”

7.The case diary reveals that the Inspector of Police, who registered the first information report at about 3.00 pm, commenced the investigation by 5.00 pm, prepared rough sketch, observation mahazar in the presence of two



CrIOP(MD)No.11676 of 2025

witnesses one Thangavel and Sivasakthi and their statements were also recorded under Section 161(3) CrPC on the same day at about 5.00 pm.

Thereafter she examined six other eye witnesses from the place of occurrence and they all have stated that no such occurrence as recorded in the FIR had taken place and they were simply sitting and chatting near the place of occurrence, which was objected by the Police and were directed to leave the place. The persons, who have been arrayed as accused were also sitting in that place and they did not make any discussion to commit robbery as projected by the 2nd respondent. All these witnesses from the place of occurrence have given similar statements and the translated version of the relevant portion is extracted as under:

"We were sitting near the northern side of the bush in the Avvaiyandikulam pond and chatting on 11.11.2017 at 2 pm in the afternoon. We usually visit this place and chat. Some people used to come and go to the banks of the Avvaiyandikulam pond of Madukkur for consuming liquor drinking. Some people like us and Alauddin from adhiraampattinam, Asif ali from Madukkur, Riyaudin, Sivakumar Muthukumar from Sivakollai, Madukkur were also sitting and talking within themselves on 11.11.2017 at 2 pm in the afternoon in the said pond. The aforesaid persons Alauddin, Asif ali, Riyaudin, sarathkumar, Muthukumar were not discussing to break open and to loot the independent houses and the village Co-Operative society. They were just



chit chatting within their friends. Police Officers used to warn us not to sit there and to go from that place during patrol. The police asked us to disperse as usual and so we went on that day.”

8.The Inspector of Police has identified six eye witnesses from the place of occurrence and recorded their statements and all the witnesses denied the allegation as stated in the complaint lodged by the 2nd respondent. Even then there has been no progress in the investigation and the case has been pending. The case has been registered for the offence punishable under Section 399 of IPC and the said provision is extracted for an understanding as under:

“ 399. Making preparation to commit dacoity.—

Whoever makes, any preparation for committing dacoity, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.”

9.In order to make out an offence under Section 399, there must be five or more persons; they must have made preparation; and the preparation was for the purpose of committing dacoity.



10. In a similar case registered under Section 399 IPC, the Patna High Court in ***Ghottu Mudi Vs State reported in 1986 Cr. L. J. 1031 (Pat.)*** has decided as under:

“10. The word ‘preparation’ has not been defined in the Penal Code but it can well be said that the prosecution must show some such conduct to prove the factum of ‘preparation’ by the assembly and that the accused persons had conceived any such designs for committing dacoity and, in fact, intended to achieve the object for which they had assembled. It is only then that the evidence of recovery of firearms or other incriminating articles become relevant. Assemblage should be for a contemplated act of committing dacoity.

....

12. The evidence must be such which may plainly manifest the main charge to satisfy the conscience of the Court that the members of the assembly did some such act or acts which may lead to irresistible presumption that they had assembled for the purpose of committing dacoity and were making preparation for the same, but in absence of any such evidence coming forth, mere assemblage and recovery do not prove the charge.”

11. This court in ***Sakthiganesh vs The Inspector of Police, Thiruvaiyaru (CrI.O.P.(MD)No.20829 of 2021)*** has quashed a similar first information report and the relevant portion is extracted hereunder:



WEB COPY



CrlOP(MD)No.11676 of 2025

"2.This criminal original petition has been filed to quash the impugned FIR registered on the file of the Thiruvaiyaru Police Station, Thanjavur District for the offence under Section 399 IPC. I went through the contents of the FIR. According to the prosecution, when the respondent police were on a secret watch, they found that the accused were preparing under river bridge to commit robbery. I have held in Crl O.P(MD) No. 18337 of 2021 (Mathivanan vs. The Inspector of Police, Vadipatty Police Station, Madurai) that the offences involving preparation alone such as Section 399 of IPC and Section 122 of IPC will have to meet a higher threshold. It is inherently improbable that within the hearing distance of the police, the accused had a conversation as alleged by the prosecution. Therefore, the impugned FIR is quashed. The benefit of this order will enure in favour of the non-petitioning accused also. This criminal original petition is allowed."

12.From the above judgments, it is clear that mere assembly of a group of persons is not sufficient to attract the offence under Section 399 IPC, but there must be some materials to show that assembly was for the purpose of preparation to commit dacoity. However, in the case on hand, there is no material to establish the preparation made by the accused and for the incidents said to have taken place in 2017, the respondent police have not filed their final report for the past 8 years. Moreover the first information report dated



15.The Hon'ble Supreme Court in *Aqeel Ahmad vs State Of U.P* reported in **2008 (16) SCC 372** has explained the purpose behind forwarding of the FIR to the jurisdictional magistrate as per Section 157 CrPC and the relevant portion is extracted hereunder:

"5.There is no doubt that forwarding of the report is indispensable and absolute and it has to be forwarded with earliest dispatch which intention is implicit with the use of the word 'forthwith' occurring in Section 157 of the Code which means promptly and without any undue delay. The real purpose is to avoid possibility of the improvement in the prosecution case and introduction of distorted version by deliberations and consultation and to enable the Magistrate concerned to have a watch on the progress of the investigation."

16.In line with the above provision, PSO 552 requires that a copy of the FIR be forwarded without any delay in the usual course to the Magistrate having jurisdiction. Along with a copy of the FIR, the original report of the source with its enclosures, if any, in original, or the original written complaint made by the complainant is also required to be attached with such a copy. In the present case, the FIR was registered on 11.11.2017 and it is stated in the FIR that a copy was sent to the court on that date itself. However, the



CrIOP(MD)No.11676 of 2025

learned Judicial Magistrate, Pattukottai has submitted a report stating that it was in fact received by the court only on 24.06.2025. Thus it is clear that the FIR in this case has been sent only after a period of eight years in violation of Section 157 CrPC and PSO 552.

17.All these show that this criminal case has been foisted as against the petitioner. Therefore, this court is obligated to quash the FIR that is pending against the petitioner. But quashing the FIR alone will not provide complete justice to the petitioner. This is a clear case where the rights of the petitioner under Article 21 of the Constitution have been violated. The right to life under Article 21 does not refer to the mere physical act of breathing or living. It consists of a much wider range of rights including the right to live with dignity and reputation.

18.The persons affected by crime or their family alone cannot be termed as victims. The concept of “victim” is an evolving concept and there are various types of victims, who are entitled to get protection under the law. This court is dealing with one such type of victim in the present case - a person against whom a case has been foisted and FIR has been pending as against him since 2017. It is true that a person is innocent until proven guilty by a court of law but this court cannot turn a blind eye to the reality that the



CrlOP(MD)No.11676 of 2025

registration and pendency of FIR against a person casts grave stigma, including tarnishing of reputation, loss of social standing, lack of employment opportunities, strained personal relationships, psychological distress due to the legal proceedings and the threat of conviction. The enduring perception of guilt that follows every aspect of a person's public and private life cannot be underestimated.

19. The United Nations has declared compensation as an essential right for the victims of crimes of abuse of process of power. This case is a glaring example and the 2nd respondent has abused his power by foisting a false complaint without any basis. The statement recorded by the investigation officer reveals that for not complying with the command of the 2nd respondent to leave the place, the criminal case has been foisted for the offence of dacoity, due to which the petitioner has been denied employment for the past 8 years. The first information report which was registered in the year 2017 was not even sent to the court and none of the investigation officers in the past eight years had bothered about this case, pending due to which the petitioner a youth has been denied employment. This is a fit case for awarding compensation to the petitioner. Though petitioner has been arrayed as an accused, he is also a victim of abuse of power entitled for compensation.



20.The Hon'ble Supreme Court in *Nilabati Behra vs. State of Orissa and others* reported in *1993 (2) SCC 746* has explained the purpose behind the relief of compensation in public law proceedings and the relevant extract is as follows:

*"34.The public law proceedings serve a different purpose than the private law proceedings. The relief of monetary compensation, as exemplary damages, in proceedings under Article 32 by this Court or under Article 226 by the High Courts, for established infringement of the indefeasible right guaranteed under Article 21 of the Constitution is a remedy available in public law and is based on the strict liability for contravention of the guaranteed basic and indefeasible rights of the citizen. The purpose of public law is not only to civilize public power but also to assure the citizen that they live under a legal system which aims to protect their interests and preserve their rights. Therefore, when the court molds the relief by granting "compensation" in proceedings under Article 32 or 226 of the Constitution seeking enforcement or protection of fundamental rights, it does so under the public law by way of penalising the wrongdoer and fixing the liability for the public wrong on the State which has failed in its public duty to protect the fundamental rights of the citizen.**This Court and the High Courts, being the protectors of the civil liberties of the citizen, have not only the power and jurisdiction but also an obligation to grant relief in exercise of its jurisdiction under Articles 32 and 226 of the Constitution to the victim or the***



heir of the victim whose fundamental rights under Article 21 of the Constitution of India are established to have been flagrantly infringed by calling upon the State to repair the damage done by its officers to the fundamental rights of the citizen, notwithstanding the right of the citizen to the remedy by way of a civil suit or criminal proceedings.”

21. In *Rudul Sah vs. State of Bihar and others reported in 1983 (4) SCC 141*, the Hon'ble Supreme Court has noted that the recovery of compensation from those who violate fundamental rights is one way in which similar violations can be prevented in the future. The relevant observations are extracted hereunder:

*“10.....Article 21 which guarantees the right to life and liberty will be denuded of its significant content if the power of this Court were limited to passing orders to release from illegal detention. **One of the telling ways in which the violation of that right can reasonably be prevented and due compliance with the mandate of Article 21 secured, is to mulct its violaters in the payment of monetary compensation.** Administrative sclerosis leading to flagrant infringements of fundamental rights cannot be corrected by any other method open to the judiciary to adopt. The right to compensation is some palliative for the unlawful acts of instrumentalities which act in the name of public interest and which present for their protection the powers of the State as a shield. If civilization is not to perish in this country as it has perished in*



CrlOP(MD)No.11676 of 2025

some others too well-known to suffer mention, it is necessary to educate ourselves into accepting that, respect for the rights of individuals is the true bastion of democracy. Therefore, the State must repair the damage done by its officers to the petitioner's rights. It may have recourse against those officers.”

22.It is clear that this court has a duty not only to correct the lapses on the part of the authorities but also to provide some relief to the victim whose fundamental rights have been violated. The petitioner has undergone stigma, mental agony and economic suffering due to the pendency of FIR since the year 2017. The materials indicate that police clearance to travel abroad was denied on account of pendency of the FIR against the petitioner. The Petitioner has suffered loss of job opportunities due to the stigma of pendency of the FIR.

23.Section 482 of the Code of Criminal Procedure (now Section 528 BNSS) saves the inherent power of the High Court, as a superior court, to make such orders as are necessary (i) to prevent an abuse of the process of any court; or (ii) otherwise to secure the ends of justice. In ***State of Punjab vs. Kasturi Lal*** reported in ***2004 (12) SCC 195***, the Hon'ble Supreme Court has held that this provision confers the inherent



power to High Courts to do right and undo wrong and the relevant portions are extracted hereunder:

"10. No legislative enactment dealing with procedure can provide for all cases that may possibly arise. Courts, therefore, have inherent powers apart from express provisions of law which are necessary for proper discharge of functions and duties imposed upon them by law. That is the doctrine which finds expression in the Section which merely recognizes and preserves inherent powers of the High Courts. All courts, whether civil or criminal possess, in the absence of any express provision, as inherent in their constitution, all such powers as are necessary to do the right and to undo a wrong in course of administration of justice."

24. In *State of Maharashtra vs Dadaji Kacharu Sonawane* reported in **1984 Cr LJ 1023 (Bom-DB)**, a Division Bench of the Bombay High Court has held that the securing the ends of justice under Section 482 CrPC can be ensured by directing payment of compensation in a case where the accused was incarcerated on fabricated charges and the relevant portions are extracted hereunder:

"8.....In this connection it is worthwhile referring to the very phraseology employed by Section 482 of the Criminal P.C. The section runs as follows:-

"Nothing in this Code shall be deemed to limit or affect the inherent powers of the High Court to make



such orders as may be necessary to give effect to any order under this Code, or to prevent abuse of the process of any Court or otherwise to secure the ends of justice."

At first blush the section appears to be aiming merely preserving the inherent jurisdiction of the High Court proceeding upon the postulate that it already possesses that jurisdiction clarifying thereby that the said jurisdiction is not the creature of that Statute as such. But a closer scrutiny of the section reveals that, to some extent, it also qualifies that inherent jurisdiction. The inherent jurisdiction of this Court that is referred to in Section 482 is the particular jurisdiction.

- (a) to give effect to any order under the Code;*
- (b) to prevent abuse of process of any Court or;*
- (c) otherwise to secure the ends of justice.*

To our mind, the power contained in Clause (c) above, that is power to secure ends of justice is attracted by the facts of this case. Even after knowing that the evidence adduced by the prosecution against the accused was patently inadequate and unreliable, incapable of bringing home any conviction against the accused, the Government persisted in filing this appeal making the accused, his wife and possibly also children suffer for three additional years. The accused has the constitutional right of freedom; he has the light to carry on his avocation peacefully. That was denied to him with a superficial justification which turns put to be illusory and illegitimate. Ends of justice do require that the Government should recompense him, at least partially.



9. *In our inherent jurisdiction u/s 482 of the Criminal P.C., therefore, we direct the State Government to pay a sum of Rs. 2000/- to the accused as compensation at the time when the accused is released from the jail.”*

25. It is also pertinent to note that there is no prohibition on the exercise of the powers of this court under Article 226 of the Constitution of India while dealing with matters under its criminal jurisdiction. In ***Pepsi Foods Ltd. and Another vs. Special Judicial Magistrate and Others*** reported in (1998) 5 SCC 749, the Hon'ble Supreme Court has held that the power of judicial review could very well be exercised by the High Courts when dealing with criminal matters along with its inherent powers under Section 482 CrPC and the relevant portions are extracted hereunder:

“22. It is settled that the High Court can exercise its power of judicial review in criminal matters. In State of Haryana v. Bhajan Lal [1992 Supp (1) SCC 335 : 1992 SCC (Cri) 426 : JT (1990) 4 SC 650] this Court examined the extraordinary power under Article 226 of the Constitution and also the inherent powers under Section 482 of the Code which it said could be exercised by the High Court either to prevent abuse of the process of any court or otherwise to secure the ends of justice. While laying down certain guidelines where the court will exercise jurisdiction under these provisions, it was also stated that these guidelines could not be inflexible or laying rigid formulae to be followed by the courts. Exercise of



*such power would depend upon the facts and circumstances of each case but with the sole purpose to prevent abuse of the process of any court or otherwise to secure the ends of justice.....**The power conferred on the High Court under Articles 226 and 227 of the Constitution and under Section 482 of the Code have no limits but more the power more due care and caution is to be exercised while invoking these powers.***”

26.In view of the foregoing discussion, this court is inclined to award compensation to alleviate the suffering of the petitioner. At the same time, this would also serve as a deterrent to the authorities to ensure that the fundamental rights of the citizens are hereafter not violated in such a manner.

27.This Court is of the considered opinion that the continuation of the investigation against the petitioner is an abuse of process of law and in the interest of justice, the same requires the interference of this Court in exercise of its jurisdiction under Section 482 of CrPC [528 of BNSS] and accordingly, the case in Crime No.245 of 2017 on the file of the respondent police is hereby quashed.



CrIOP(MD)No.11676 of 2025

28. This court further by exercising its compensatory jurisdiction under Article 226 of the Constitution of India and its power under Section 482 CrPC [528 BNSS] to secure the ends of justice directs the Home Department, to pay a sum of Rs.8,00,000/- (Rupees eight lakh) to the petitioner / victim as compensation for his psychological suffering, social stigma and loss of job opportunity. This compensation shall be paid to the petitioner within a period of three months from the date of receipt of a copy of this order, with liberty to recover the same from the police officers concerned.

In the result, this petition is allowed in the above terms.
Consequently connected miscellaneous petition is closed.

25.11.2025

Index: Yes / No

NCC: Yes / No

DSK



CrlOP(MD)No.11676 of 2025

To

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1. The Sub Inspector of Police,
Madukkur Police Station,
Thanjavur District.
2. The Superintendent of Police,
Thanajvur District.
3. The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Chennai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrlOP(MD)No.11676 of 2025

B.PUGALENDHI,J

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CrlOP(MD)No.11676 of 2025

25.11.2025