



Crl.O.P.(MD)No.12151 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

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- 1.Pappi @ Nagarajan
- 2.Umarani
- 3.Vengidusamy
- 4.Balaji
- 5.Pappa @ Lathapathi
- 6.Jeeva
- 7.Naveen
- 8.Mahenderan
- 9.Kumar
- 10.Jeevabalan

... Petitioners

Vs.

- 1.The Sub Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
In Cr.No.325 of 2024

- 2.Indhira

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records relating to the Crime No.325 of 2024 on the file of the respondent police and quash the same.

For Petitioner

: Mr.J.Balameenakshi

For R1

: Mr.P.Kottaichamy,
Government Advocate(Crl.side)



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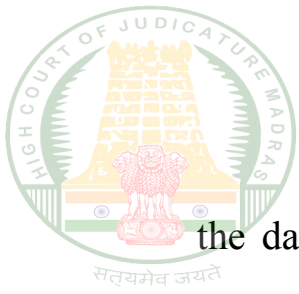
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ORDER

The petitioners, who are A1 to A10 in Crime No.325 of 2024 on the file of the respondent police, have filed this petition to quash the said proceedings.

2.The learned counsel appearing for the petitioners submits that there is a partition suit pending between the petitioners and the second respondent. In fact, the second respondent has assaulted and also damaged the vehicle of the petitioners. The complaint lodged by the petitioners has not been enquired, instead, a false case has been registered as against the petitioners.

3.The learned Government Advocate(Crl.side) appearing for the first respondent submitted that the suit filed by the petitioners for partition was dismissed on the ground of *res judicata*. The allegation as against the petitioners is that they have damaged the plantain tress raised by the defacto complainant, worth about Rs.8,00,000/-. The learned Government Advocate has produced certain photographs with regard to



the damage. Further, he submits that the case was registered only on 13.09.2024 and they have examined six witnesses and there are enough materials as against the petitioners and they require two more months to complete the investigation. According to the learned Government Advocate(Crl.side), it is not a fit case for entertaining this petition at the stage of FIR.

4.This Court has considered the submissions made on either side and perused the available records.

5.The allegation as against the petitioners is that they have damaged the plantain trees to the tune of Rs.8,00,000/-. The respondent Police claims that there are prima facie materials as against the petitioners and they have also produced certain photographs with regard to the nature of damage to the plantain trees. The investigation is still pending. The Investigation is a process of finding out the truth and it is not a mechanical process to take the witnesses of the complainant and come to a conclusion. The first respondent Police has to find out, who is the aggressor and thereafter, to consider the grounds raised by the petitioners in this petition during the course of investigation.



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7.In the event, if any final report is filed as against the petitioners, it is always open to them to challenge the final report in the manner known to law. Accordingly, this criminal original petition is dismissed, with liberty as stated above.

18.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns



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- 1.The Sub Inspector of Police,
Sanarpatti Police Station,
Dindigul District.

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



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B.PUGALENDHI,J

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