



WEB COPY

Crl.OP(MD).No.19762 of 2022



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.01.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

Crl.OP(MD).No.19762 of 2022  
and  
Crl.M.P.Nos.13563 & 13564 of 2022

1.Juvairiya Begam,  
W/o. Bharathkathullah

2.Mohammed Faizal,  
S/o.Bharakathullah,

3.Sameem Banu,  
D/o. Mohamed Kasim

4.Ajina Begam,  
W/o.Mohamed Kasim

..Petitioners/Accused Nos.1 to 4

**Vs.**

1.The State of Tamil Nadu  
rep.by the Inspector of Police  
Lalgudi Police Station,  
Trichy District.  
(Crime No.1472 of 2020)

..Respondent/Complainant

2.Sampoornam  
W/o.Senthilkumar

..2<sup>nd</sup> Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to quash the charge sheet in C.C.No.110 of 2022 on the file of the Judicial Magistrate, Lalgudi for the alleged offences under Sections 294(b), 323, 324 & 506 (ii) of the Indian Penal Code, 1860 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.



CrI.OP(MD).No.19762 of 2022

|                 |   |                                                        |
|-----------------|---|--------------------------------------------------------|
| For Petitioners | : | Mr.Lenin Kumar.T<br>Advocate                           |
| For R1          | : | Mr.Thanga Aravindh.B<br>Government Advocate (CrI.Side) |
| For R2          | : | Mr.V.Karuna                                            |

### **ORDER**

This Criminal Original Petition is filed to quash the proceedings in C.C.No.110 of 2022 on the file of the Judicial Magistrate, Lalgudi.

2. The case of the Prosecution is that there was a path-way dispute between the Parties and on the date of the incident, the Accused persons are said to have abused the De-facto Complainant in filthy language and attacked with wooden logs, hands and legs and also threatened with dire consequences. Based on this incident, a case in counter was registered in Cr.No.1472 and 1473 of 2020 by the Respondent Police.

3. The FIR in Cr.No.1472 of 2020 resulted in CC.No.110 of 2022. The same has been put to challenge in the present quash petition. The FIR in Cr.No.1473 of 2020 resulted in the filing of final report as against Kupusamy and three others. This final report is yet to be taken on file by the learned Judicial Magistrate.

4. Heard Mr.Lenin Kumar.T, learned Counsel for the Petitioner, Mr.Thanga Aravindh.B, learned Government Advocate (CrI.Side) for R1 and



Mr.V.Karuna, learned Counsel for R2.

WEB COPY

5. In the case in hand, there was a pathway dispute and there is a civil case pending before the Competent Civil Court and on one occasion, there was a wordy quarrel and the same resulted in both parties abusing each other and attacking each other with wooden logs, hands and legs. Both sides sustained simple injuries in this case.

6. Taking into consideration, the facts and circumstances of the case, and considering the manner in which the incident had taken place and also taking note of the fact that no injuries were sustained by both sides and that the dispute between the parties is pending before the Civil Court, this Court is of the view that the dispute which is purely civil in nature has been given a criminal colour. Hence, this Court is inclined to interfere with both the cases and quash the same.

7. In the light of the above discussion, the proceedings in C.C.No.110 of 2022 on the file of the learned Judicial Magistrate, Lalgudi is hereby quashed. Similarly, the FIR in Cr.No.1473 of 2020 on the file of the Respondent-Police also stands quashed. This shall be intimated to the learned Judicial Magistrate, Lalgudi so that the Police report filed by the respondent No.1 will not be acted upon and the same will be closed.



CrI.OP(MD).No.19762 of 2024

8. In the result, this Criminal Original Petition stands allowed in the above terms. Consequently, connected Criminal Miscellaneous Petitions are closed.

WEB COPY

30.01.2025

Index : Yes / No  
Internet : Yes / No  
Speaking Order/Non Speaking Order  
nst

To

- 1.The Judicial Magistrate,  
Lalgudi.
- 2.The Inspector of Police,  
Lalgudi Police Station,  
Trichy District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



CrI.OP(MD).No.19762 of 2022

**N.ANAND VENKATESH, J.**

nst

**CrI.OP(MD).No.19762 of 2022**  
**and**  
**CrI.M.P.Nos.13563 & 13564 of 2022**

**Dated: 30.01.2025**