



Crl.O.P(MD).No.15744 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2025

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**Crl.O.P(MD).No. 15744 of 2023 and
Crl.M.P(MD).No.12513 of 2023**

1. Suresh
2. Ganesh Karthick
3. Pandiyarajan
4. Karthick
5. Veerachinnu

... Petitioners

Vs

1. State through the
Inspector of Police,
Sattur Town Police Station,
Sattur, Virudhunagar District.
(Crime No.598 of 2020)

2. Shanmugapriya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in PRC.No.13 of 2023 on the file of the Judicial Magistrate No.II, Sattur, Virudhunagar District and quash the charge sheet as against these petitioners.



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For Petitioners : Mr. Anantha Padmanabhan
Senior Counsel for M/s. APN Law Associates

For Respondent No.1 : Mr.A.S. Abul Kalaam Azad
Government Advocate (Crl. Side)

For respondent No.2 : Mr.V. Sasikumar

ORDER

This Criminal Original Petition has been filed to call for the records in PRC.No.13 of 2023 on the file of the Judicial Magistrate No.II, Sattur, Virudhunagar District and quash the charge sheet as against these petitioners.

2. The case of the prosecution is that A1 is the husband of the defacto complainant / 2nd respondent herein. Due to the matrimonial dispute, they have been living separately. On 01.12.2020, at about 3.15 PM, A1 contacted the 2nd respondent over the phone and asked her to meet him at his house. Believing A1's words, the 2nd respondent / defacto complainant went to A1's house. At that time, the petitioners herein are said to have attacked her using a stone, a wooden log, and an iron rod.



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3. For the very same incident, based on the complaint given by the petitioners, an FIR came to be registered in Crime No.597 of 2020 as against the second respondent and two others.

4. The investigation was completed in both the cases by the different Investigation Officer and insofar as Crime No.598 of 2020 is concerned, it is numbered as PRC.No.13 of 2023 before the learned Judicial Magistrate No.II, Sattur. Insofar as Crime No.597 of 2020 is concerned, the final report taken on file in C.C.No.485 of 2022 before the same Court.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.side) appearing on behalf of the first respondent and the learned counsel appearing for the second respondent.

6. In the considered view of this Court, both the final reports are liable to be interfered by this Court for the simple reason that two different Investigation Officers have investigated the cases. This is in contravention of the judgment of Full Bench in ***T.Balaji and another v. The State***,



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reported in **2024-2-L.W.(Crl.)175**.

7. The same investigation officer will have to investigate both the case and counter-case and must find out the real aggressor. Here, two different investigation officers have investigated independently and police report has been filed mechanically in both the cases. Hence, both the police reports are illegal.

8. In the light of the above discussion, the proceedings in PRC.No. 13 of 2023 and C.C.No.485 of 2022 on the file of the learned Judicial Magistrate Court No.II, Sattur, Virudhunagar District are liable to be quashed and accordingly, the same is quashed. This Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petition is closed.

27.11.2025

Index : Yes / No

Internet : Yes

trp

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WEB COPY To

1. The Inspector of Police,
Sattur Town Police Station,
Sattur,
Virudhunagar District.
- 2.The Additional Public Prosecutor,.
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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S.SRIMATHY, J

trp

Order made in
Crl.O.P(MD).No. 15744 of 2023 and
Crl.M.P(MD).No.12513 of 2023

27.11.2025