

Crl.O.P.(MD)No.13859 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.13859 of 2025

and Crl.M.P.(MD)Nos.11088 and 11089 of 2025

1. Satheis Kumar

2. Jeya

... Petitioners

versus

1. The State of Tamil Nadu, Rep. by
The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

2. Arumugam

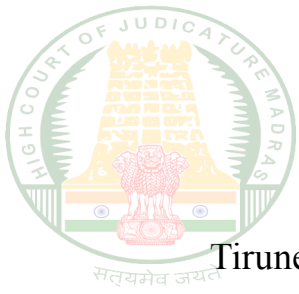
... Respondents

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in C.C.No.1379 of 2025 on the file of the learned Judicial Magistrate-V, Tirunelveli, Tirunelveli District and quash the same in respect of the petitioners concerned.

For Petitioners : Mr.S.Micheal Heldon Kumar
For R1 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl. Side)

ORDER

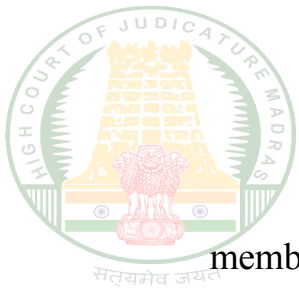
The petitioners are accused Nos.1 and 2 in C.C.No.1379 of 2025 on the file of the learned Judicial Magistrate No.V, Tirunelveli,



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Tirunelveli District. They are facing charges for the offences under Sections 191(2), 191(3), 329(3), 296(b), 115(2), 118(1), 324(4) and 351(3) of BNS 2023. Now, the petitioners have moved this petition to quash the proceedings in C.C.No.1379 of 2025 pending against them.

2. The petitioners are husband and wife. The case of the prosecution is that on 11.01.2025, the 2nd respondent/defacto complainant went to his native place to celebrate the pongal festival. During the event, the organizers were repeatedly announcing the name of the 1st petitioner, for which, the 2nd respondent objected the same and questioned one Murugan regarding the same. On this motive, on 15.01.2025, the 1st petitioner came to the house of the 2nd respondent in an intoxicated condition, abused him in filthy language and also threatened him. After 10 minutes, the 2nd petitioner came to the house of the 2nd respondent and warned his wife not to maintain enmity with the 1st petitioner and also threatened them that if such enmity continues, adverse consequences would follow. On the next day, i.e. on 16.01.2025, at around 6.30 a.m., certain unknown individuals are said to have trespassed into the house of the 2nd respondent and assaulted his family



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members and also caused damage to the property, i.e. television and mobile phone. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the allegations made in the FIR do not constitute any cognizable offence against the petitioners and there is no corroborating material or independent witness to substantiate the case. Due to previous enmity, the 2nd respondent has lodged this complaint as against the petitioners. Apart from that, the petitioners have raised several grounds.

4. Though the petitioners have raised several grounds, this Court is of the opinion that the grounds raised by the petitioners can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court during trial. Consequently, connected miscellaneous petitions are closed.

20.08.2025

Index : Yes / No.
Internet : Yes / No.
NCC : Yes / No.
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B.PUGALENDHI, J.

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To

1. The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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