



Crl.O.P.(MD)No.15369 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15369 of 2025

and

Crl.M.P(MD) Nos.12498 and 12501 of 2025

1.M.Marimuthu

2.G.Gajendhra Boopathy

... Petitioners

Vs.

1.The State of Tamil Nadu,

Represented by the Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.

...1st Respondent/Complainant

2.A.Muthupandi,

Sub-Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with the impugned charge sheet in C.C.No.747 of 2025, on the file of the Judicial Magistrate No.I, Tirunelveli District, and quash the same.



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For Petitioners : Mr.T.Cibichakraborty

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The petitioners seek to quash the impugned final report in C.C.No.747 of 2025, on the file of the Judicial Magistrate No.I, Tirunelveli District, which was filed for the offences punishable under Sections 296(b), 132 and 351(3) of BNS, 2023.

2. The gist of the allegations in the impugned final report is that on 16.03.2025 at about 6.00 PM, the petitioners were travelling in a two wheeler; that during a routine vehicle check up, the respondents attempted to stop the petitioners; and that the petitioners abused the defacto complainant in filthy language and also threatened him of dire consequences, and thus committed the aforesaid offences.

3. The learned counsel for the petitioners would submit that the allegations made in the impugned final report are false; that the petitioners had not committed the alleged acts of abusing the defacto complainant and threatening him of dire consequences; that, in any case, the allegations would



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not attract the offence under Section 132 of BNS corresponding to Section 353 of IPC, since the petitioners had not committed any act of assault or used criminal force to prevent the defacto complainant from discharging his duty; and that the other offences are also not made out.

4. The learned counsel would further submit that if the second respondent had been offended by any of the acts of the petitioners, the petitioners would seek unconditional apology and they have filed the affidavits seeking an unconditional apology.

5. The learned Additional Public Prosecutor would fairly submit that though the allegations attracted the offences, this Court may consider the quash petition in the light of the affidavit filed by the petitioners.

6. The allegation in the impugned final report suggests that the petitioners had abused the defacto complainant in filthy language. The allegation does not suggest that they committed any act of assault or used criminal force to attack the defacto complainant. Hence, the offence under Section 132 of BNS is not made out. The allegation also does not suggest any real threat was caused to the defacto complainant and hence, the offence under



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Section 351(3) of BNS corresponding to Section 506(ii) of IPC is also not made out. The allegation only suggests that the petitioners abused the defacto complainant in filthy language which at best would attract the offence under Section 186 of IPC for which a private complaint ought to be filed. The petitioners have now filed affidavits seeking apology from the respondents and the Police Officials, who were present on the date of occurrence and have undertaken not to indulge in such acts in future. The affidavits filed by the petitioners are taken on record.

7. In view of the aforesaid observations, this Court is of the view that no useful purpose would be served in keeping the impugned final report pending trial. Accordingly, the impugned final report in C.C.No.747 of 2025 on the file of the learned Judicial Magistrate No.1, Tirunelveli District, is quashed. Hence, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

14.11.2025

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

Indu/dk



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To

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



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SUNDER MOHAN, J.

Indu/dk

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