



Crl.O.P.(MD)No.15581 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.15581 of 2025

and

Crl.M.P(MD)Nos.12656 and 12657 of 2025

Saranya

... Petitioner/ Accused

Vs.

1.State of Tamilnadu Represented through
The Inspector of Police,
Pappanadu Police Station,
Thanjavur District,
(Crime No.244/2024)

...1st Respondent/Complainant

2.Tamilselvi
W/o.Sethumadhavan,
Village Administrative Officer,
Cholangankudikadu Revenue Village,
Orathanadu Taluk,
Thanjavur District.

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned charge sheet in C.C.No.817 of 2025 on the file of the learned District Munsif Cum Judicial Magistrate, Orathanadu, Thanjavur District, quash the same.



WEB COPY



Crl.O.P.(MD)No.15581 of 2025

For Petitioners : Mr.V.Anand
For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R2 : Mr.A.Oliraja
Government Advocate

ORDER

The petitioner seeks quashing of the impugned final report filed in C.C.No.817 of 2025 on the file of the learned District Munsif Cum Judicial Magistrate, Orathanadu, Thanjavur District, for the alleged offences under Section 132, 226, 191(2) of BNS.

2. The allegation in the final report is that the petitioner along with the five other family members prevented the respondent police from serving a Referred Charge Sheet (RCS) notice; and that one Seerangam, wife of Maruthan threatened to commit suicide by pouring kerosene on herself, if the respondent Police pasted the RCS notice on the wall of the house.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated; that the petitioner was not in town at the relevant point of time; that the FIR was lodged against the said Seerangam and does not mention about the other family members of the petitioner; that the respondents without any basis had implicated other family members to arm twist the



Crl.O.P.(MD)No.15581 of 2025

WEB COPY

petitioner's family; that in any case, the allegation of threat to commit suicide was not made as against the petitioner; and that the other offence for rioting or using criminal force or assault as against the public servants was not made out as against the petitioner.

4. Heard the learned Additional Public Prosecutor, who was unable to justify how the other members of the petitioner's family were specifically implicated.

5. This Court has perused the FIR which culminated in the impugned final report. It is seen from the FIR that when the respondent police had gone to the house of one Seerangam. She had opposed, protested and obstructed the police officials from serving the RCS notice; that thereafter she came with a kerosene bottle and threatened to commit suicide and thus, committed the aforesaid offence. Though Column No.7 stated that the accused are Seerangam, W/o.Maruthan and the family members, there is absolutely no allegation against any of the other family members so as to attract the offence alleged. In the FIR, it is not stated as how many family members had abetted the commission of the aforesaid offence by the said Seerangam. The complaint was not lodged by a layman but by the Village Administrative Officer. Therefore,



Crl.O.P.(MD)No.15581 of 2025

WEB COPY

the allegation in the final report that the petitioner also abetted the said Seerangam appears to be an after thought.

6. Be that as it may, even assuming that the petitioner was present when the said Seerangam prevented the police officials from performing their duties, there is no allegation as to the role played by the petitioner or the other accused who are roped in subsequently. The offence under Section 226 of the BNS which is threat to commit suicide to deter a public servant from doing their duties is also made only against the said Seerangam.

7. Therefore, this Court is of the view that the impugned final report in C.C.No.817 of 2025 on the file of the learned District Munsif Cum Judicial Magistrate, Orathanadu, Thanjavur District, as against the petitioner is an abuse of process of law, and is liable to be quashed. Accordingly, it is quashed. This Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petitions are closed.

18.09.2025

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



Crl.O.P.(MD)No.15581 of 2025

WEB COPY

To

- 1.The learned District Munsif Cum Judicial Magistrate,
Orathanadu, Thanjavur District.
- 2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
- 3.Mrs.Tamilselvi
W/o.Sethumadhavan,
Village Administrative Officer,
Cholangankudikadu Revenue Village,
Orathanadu Taluk,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.15581 of 2025

SUNDER MOHAN, J.

Sn

Crl.O.P(MD).No.15581 of 2025

18.09.2025