



CRL OP(MD). No.17105 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 30/10/2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.17105 of 2025
and
CrI.M.P(MD) No.13949 of 2025

Sivaram @ Sivaraman

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Guziliamparai Police Station,
Dindigul District.
Crime No. 135 of 2025.

2.K.Muthusamy,
Retired Village Administrative Officer,
K.Anaipatti Post,
Palayam Via,
Guziliamparai Taluk,
Dindigul District.

... Respondents

PRAYER :- This Criminal Original Petition is filed under Section 528 BNSS, to call for the records relating to the FIR in Crime No. 135 of 2025 dated 22.05.2025 on the file of first respondent police and quash the same.



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For Petitioner :Mr. D.Nallathambi,
Advocate

For R1 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

For R2 : Mr.C.Prithiviraj

ORDER

The petitioner seeks to quash the FIR in Crime No.135 of 2025 dated 22.05.2025, on the file of first respondent police, which was registered for the offences under Sections 126(2), 329(3) and 324(2) of BNS, 2023.

2.The allegation in the FIR is that the petitioner is the son of the defacto complainant; that the petitioner is preventing the defacto complainant and his employees from entering the land and thus, committed the aforesaid offence.

3.The learned counsel for the petitioner would submit that the dispute is between the son and the father; that the FIR itself does not disclose the commission of any offence and that the petitioner has now filed an affidavit of undertaking stating that he would not disturb the



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father's possession of his agriculture properties.

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4.The learned counsel for the defacto complainant would submit that the petitioner had earlier given an undertaking to the police and he has violated the same; that the petitioner may be put on strict terms and that if the petitioner complies with the undertaking, the defacto complainant has no objection to the quashing of the impugned FIR.

5.Heard the learned Additional Public Prosecutor appearing for the respondent police.

6.The only allegation against the petitioner is that he had prevented his father from entering his own land. The father is aggrieved by the said act and has requested the police to prevent the petitioner from doing so in the future. The petitioner has now filed an affidavit and the relevant portion of which reads as follows.

2.I humbly submit that I hereby undertake that I will not in any manner disturb the possession of the defacto complainant herein in respect of properties in dispute. This Hon'ble Court may be pleased to record this undertaking



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without prejudice to my right, title to be canvassed and adjudicate in O.S.No.266 of 2024 and O.S.No.36 of 2025 on the file of the Sub Court, Veda sandur, Dindigul District.

7. The said affidavit is taken on record. It is needless to say that if the petitioner violates the above undertaking, he would be liable for Criminal and Contempt action. In view of the above undertaking and considering the fact that the dispute is between father and son, this Court is inclined to quash the impugned FIR.

8. Accordingly, this Criminal Original Petition is allowed and the impugned FIR in Crime No.135 of 2025, on the file of the first respondent is quashed. Consequently, connected miscellaneous petition is closed.

30.10.2025

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



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To
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- 1.The Inspector of Police,
Guziliamparai Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J

CP

ORDER
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