



Crl.O.P.(MD)Nos.697 of 2024 and 17303 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).Nos.697 of 2024 and 17303 of 2025

and

Crl.M.P.(MD).Nos.408 and 409 of 2024

Crl.O.P.(MD).No.697 of 2024

1.Siva

2.Pradeepkani @ Pratheepraj

... Petitioners/Accused No.1 & 2

Vs.

1.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.158 of 2019)

... 1st Respondent/Complainant

2.K.Rajamani

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the Charge Sheet C.C.No.32 of 2020 dated 07.08.2020 pending on the file of the Learned Judicial Magistrate Court, Nilakottai, Dindigul District and quash the same as illegal.

For Petitioners : Mr.C.M.Arumugam

For R-1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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For R-2 : Mr.A.Sivasubramanian

WEB C Crl.O.P.(MD).No.17303 of 2025

1.Rajamani

2.Raja (Abirakam)

3.Ravi

4.Rasathi

... Petitioners/Accused No.1 to 4

Vs.

1.State of Tamil Nadu Rep. by,
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(In Crime No.157/2019)

... 1st Respondent/Complainant

2.Siva

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023 , to call for the records relating to the Impugned Charge Sheet in C.C.No.145 of 2022 on the file of the Judicial Magistrate Court, Nilakottai and quash the same as illegal as far as these petitioners concerned.

For Petitioners : Mr.A.Sivasubramanian

For R-1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R-2 : Mr.C.M.Arumugam



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COMMON ORDER

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These Criminal Original Petitions have been filed to quash the two final reports arising out of case and case in counter.

1.1. Crl.O.P.(MD).No.17303 of 2025 has been filed as against C.C.No.145 of 2022, which arises out of Crime No.157 of 2019 for the offences under Section 323, 506(2) and 326 of IPC.

1.2. Crl.O.P.(MD).No.697 of 2024 has been filed as against C.C.No.32 of 2020, which arises out of Crime No.158 of 2019 for the offences under Section 294(b), 323 and 506(1) of IPC.

2. The allegation in C.C.No.145 of 2022 is that on account of prior enmity, the petitioners had attacked the defacto complainant with knife and hands and caused grievous injuries besides committing the offence of criminal intimidation.

3. The allegation in C.C.No.32 of 2020 is that on account of prior enmity, the petitioners had abused the defacto complainant in filthy language; that they



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had pushed the defacto complainant and attacked him with hands and legs besides committing the offence of criminal intimidation.

4. The first accused in C.C.No.32 of 2020 is the defacto complainant in C.C.No.145 of 2022. The first accused in C.C.No.145 of 2022 is the defacto complainant in C.C.No.32 of 2020. Both occurrences are said to have taken place at 6.00 PM on 25.04.2019. The first respondent after investigation found both the versions to be true and filed final reports in both the cases. It appears that the defacto complainant in both the cases have suffered injury. The respondent Police, without ascertaining which one of the versions is true, had filed final reports against both the petitioners. Both the versions, which are contrary to each other, cannot be true. The first respondent has not found out the aggressor in both the cases. The impugned prosecutions therefore would result in injustice to both the parties.

5. That apart, it is seen that the defacto complainant in one case is the accused in the other case; that they both belong to the same Village; and that the alleged occurrences are said to have taken place in the year 2019. In the absence of any definite finding as to who is the aggressor and since the first respondent has not only violated PSO 566, but also the guidelines issued by the



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Hon'ble Full Bench of this Court in the case of ***T.Balaji and another Vs. State*** in ***Crl.O.P.Nos.4587 of 2024 etc. batch dated 08.08.2024***, this Court is of the view that no useful purpose would be served in keeping the impugned final reports pending trial. Accordingly, the impugned final reports in C.C.No.32 of 2020 and C.C.No.145 of 2022 are liable to be quashed and hence quashed.

6. With the above observations, these Criminal Original Petitions are allowed. Consequently, connected miscellaneous petitions are closed.

27.10.2025

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

To

- 1.The Judicial Magistrate Court,
Nilakottai,
Dindigul District.
- 2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



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SUNDER MOHAN, J.

Lm

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