



Crl.O.P.(MD)No.19411 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19411 of 2025

and

Crl.M.P.(MD)Nos.16244 and 16245 of 2025

M.Ramanathan

... Petitioner/Sole Accused

Vs.

1.The State of Tamil Nadu,
Represented by,
The Sub Inspector of Police,
Town Police Station,
Devakkottai.
Sivaganga District.
(C.C.No.29 of 2019)

...1st Respondent/Complainant

2.M.Muthaiah

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating .to the impugned proceedings in C.C.No.29 of 2019, on file of Learned Judicial Magistrate, Devakkottai and quash the said proceedings.

For Petitioner : Mr.R.Sundar Srinivasan

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



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ORDER

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This Criminal Original Petition has been filed to quash the private complaint in C.C.No.29 of 2019 on the file of the learned Judicial Magistrate, Devakkottai, which was filed for the offences under Section 294(b), 324 and 506(ii) of IPC.

2. The gist of the allegations in the complaint is that the petitioner had illegally locked the house, which jointly belonged to the petitioner and the complainant; that when the same was questioned by the complainant, the petitioner attacked him on head with spade and caused injuries besides committing the offence of criminal intimidation.

3. The learned counsel for the petitioner would submit that the allegation in the impugned complaint is false; that the petitioner had earlier given a complaint against the second respondent, which was closed, since the second respondent had given an undertaking that he would seek remedy before the Civil Court; and that cross-examination of the second respondent/P.W.1 before the Trial Court would show that the complaint filed by him is false.



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4. Admittedly, the trial has commenced and the petitioner has also cross-examined P.W.1 and other witnesses, who have been examined so far. Therefore, this Court is not inclined to entertain the quash petition at this stage. It is needless to say that the Trial Court may conclude the trial as expeditiously as possible taking into consideration the defence of the petitioner; the fact that the petitioner and the complainant are siblings and that the case is pending from 2019. Considering the age of the petitioner, his personal appearance before the Trial Court is dispensed with on all hearing dates (provided he is represented by a lawyer) unless his appearance is required by the learned Magistrate for the progress of the trial.

5. With the above observations, this Criminal Original Petition is disposed of. Consequently, connected Crl.M.P.(MD).No.16244 of 2025 is closed.

10.11.2025

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



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To

1.The Judicial Magistrate Court,
Devakkottai.

2.The Sub Inspector of Police,
Town Police Station,
Devakkottai.
Sivaganga District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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