



Crl.O.P(MD).No.20948 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2025

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**Crl.O.P(MD).No. 20948 of 2025 and
Crl.M.P(MD).Nos.17835 and 17837 of 2025**

1.Shanmuga priya
2.Kumaresan alias Senthil Kumaresan
3.Vairamuthu Balaji ... Petitioners

VS

1. The State of Tamil Nadu
rep. by the Inspector of Police,
Sattur Town Police Station,
Sattur, Virudhunagar District.
(Crime No.597 of 2020)

2.Ramasamy ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the final report in C.C.No.485 of 2022 on the file of the Judicial Magistrate No.II, Sattur, Virudhunagar District.

For Petitioners : Mr. V. Sasikumar
For Respondent No.1 : Mr.A.S. Abul Kalaam Azad
Government Advocate (Crl. Side)
For respondent No.2 : Mr.N. Pragalathan



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ORDER

This petition has been filed seeking to quash the proceeding pending in C.C.No.485 of 2022 on the file of the Judicial Magistrate No.II, Sattur, Virudhunagar District.

2. The case of the prosecution is that first petitioner is the wife of the defacto complainant / 2nd respondent herein. Due to the matrimonial dispute, they have been living separately. On 01.12.2020, at about 3.15 PM, 2nd respondent contacted the 1st petitioner over the phone and asked her to meet him at his house. Believing 2nd respondent's words, the petitioners went to 2nd respondent's house. At that time, the petitioners herein are said to have attacked the defacto complainant.

3. For the very same incident, based on the complaint given by the petitioners, an FIR came to be registered in Crime No.598 of 2020 as against the second respondent and others.

4.The investigation was completed in both the cases by the different



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Investigation Officer and insofar as Crime No.598 of 2020 is concerned, it is numbered as PRC.No.13 of 2023 before the learned Judicial Magistrate No.II, Sattur. Insofar as Crime No.597 of 2020 is concerned, the final report taken on file in C.C.No.485 of 2022 before the same Court.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.side) appearing on behalf of the first respondent and the learned counsel appearing for the second respondent.

6.In the considered view of this Court, both the final reports are liable to be interfered by this Court for the simple reason that two different Investigation Officers have investigated the cases. This is in contravention of the judgment of Full Bench in ***T.Balaji and another v. The State***, reported in ***2024-2-L.W.(Crl.)175***.

7.The same investigation officer will have to investigate both the case and counter-case and must find out the real aggressor. Here, two different investigation officers have investigated independently and police report has been filed mechanically in both the cases. Hence, both the police



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reports are illegal.

8. In the light of the above discussion, the proceedings in PRC.No. 13 of 2023 and C.C.No.485 of 2022 on the file of the learned Judicial Magistrate Court No.II, Sattur, Virudhunagar District are liable to be quashed and accordingly, the same is quashed. This Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petitions are closed.

27.11.2025

Index : Yes / No
Internet : Yes

trp

To

1. The Inspector of Police,
Sattur Town Police Station,
Sattur,
Virudhunagar District.

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

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S.SRIMATHY, J

trp

Order made in
CrI.O.P(MD).No. 20948 of 2025 and
CrI.M.P(MD).Nos.17835 and 17837 of 2025

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