



CrI.O.P(MD)No.264 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CrI.O.P(MD)No.264 of 2025

and

CrI.M.P(MD)No.191 of 2025

1. Sathiyathan

2. Gurunathan

3. Pazhanivel

... Petitioners

Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Peravurani Police Station,
Thanjavur District.

2. Menaka Gandhi

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to call for the records pertaining to the First Information Report in Crime No.1166 of 2020 dated 01.10.2020 on the file of Respondent Police and quash the same.



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For Petitioner : Mr.M.Anbarasan
For M/s.KBS Law Office,.

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

For R2 : Mr.S.Vidhya Sagar

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.1166 of 2020 dated 01.10.2020 on the file of respondent police.

2.The learned Counsel for the petitioners would submit that there is a civil dispute pending between the petitioner and the defacto complainant and thereby, the defacto complainant lodged a false complaint as against the petitioners. Based on the same, an FIR in Crime No.1166 of 2020 has been registered for the offences under Sections 448, 294(b), 324, 427 and 506(2) of IPC and Section 4 of TNPHW Act. The petitioners also lodged a complaint as against the second



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respondent, for which, an FIR in Crime No.1165 of 2020 has been registered for the offence under Sections 341, 294(b), 324 and 506(2) of IPC. Due to civil dispute, a false complaint has been lodged and even as per the FIR, there are no ingredients to constitute the offence as against the petitioner. Hence this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the complaint lodged by the defacto complainant, an FIR in Crime No.1166 of 2020 has been registered for the offence under Sections 448, 294(b), 324, 427 and 506(2) of IPC and Section 4 of TNPHW Act. Now the same is under investigation. Another case in Crime No.1165 of 2020 is also pending against the second respondent, which was registered on the basis of the complaint lodged by the petitioners. Since both the cases are arising out of the same occurrence, still the investigation agency is conducting investigation. At this stage, the present FIR cannot be quashed. However, the investigation will be completed and final report will be filed as early as possible.

4.The learned Counsel for the second respondent would submit



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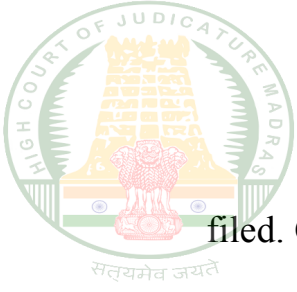
that the petitioners trespassed into the property of the defacto complainant herein and abused in filthy language and assaulted with wooden log and also caused damages to the household articles. Therefore, she lodged the complaint and now the case is under investigation.

5.Heard both sides and perused the records.

6.According to the petitioners there is a civil dispute pending between the petitioners and the defacto complainant and thereby, the defacto complainant lodged a false complaint as against the petitioners and according to the second respondent, a counter case is pending, as the petitioners assaulted her.

7.On perusal of records it is seen that there are some allegations to constitute offences against the petitioners. Therefore, at this stage this Court cannot quash the FIR and matter needs an elaborate investigation.

8.With the above observations, this Criminal Original Petition is dismissed with liberty to the petitioner to challenge the final report if any



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filed. Consequently, connected miscellaneous petition is closed.

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Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

To

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Peravurani Police Station,
Thanjavur District.

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



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P. DHANABAL, J.

LR

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