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Crl.O.P.No.1785 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1785 of 2026
and Crl.M.P.No.1174 of 2026

1. Natarajan
2. N.Manibharath
3. Jeyalakshmi ... Petitioners

Vs.

1. The State represented by,
The Sub-Inspector of Police,
Uthukuli Police Station,
Tiruppur District.

(Crime No.99 of 2025)

2. Suresh ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in C.C.No.58 of 2025, pending on the file of the learned District Munsif-cum-Judicial Magistrate, Uthukuli and quash the same.

For Petitioners : Mr.C.Prabhu
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



ORDER

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The present Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.58 of 2025 pending on the file of the District Munsif-cum-Judicial Magistrate Court, Uthukuli.

2. Based on the complaint given by the second respondent/*de facto* complainant, alleging that the petitioners/accused abused and assaulted him, as a result of which he sustained injuries, a case in Crime No.99 of 2025 was registered by the first respondent police for the offences under Sections 296(b) and 115(2) of the BNS. After completion of the investigation, the final report was filed before the District Munsif-cum-Judicial Magistrate Court, Uthukuli, for the offences under Sections 296(b), 115(2) and 351(2) of the BNS and Section 4 of the TN Prohibition of Harassment of Women Act, 2002. The learned Magistrate took cognizance of the same and numbered it as C.C.No. 58 of 2025, which is now sought to be quashed.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and that on the alleged date of occurrence, the *de facto* complainant and others, who were the aggressors, abused and assaulted the petitioners. He further submitted that based on the complaint

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given by the second petitioner, a case in Crime No.95 of 2025 was registered for the offences under Sections 296(b), 115(2), 118(2) and 351(2) of the BNS. He also submitted that the proceedings against the petitioners are an abuse of process of law.

4. Learned Government Advocate (Criminal Side) appearing for the first respondent police submitted that on the alleged date of occurrence, both the petitioners and the *de facto* complainant and his group assaulted each other and based on their complaints, two cases were registered. He further submitted that insofar as present case is concerned, the *de facto* complainant sustained injuries and that medical opinion is also available. Hence, he sought dismissal of the petition.

5. At this juncture, the learned counsel for the petitioners reiterated that the *de facto* complainant and his group were the aggressors. However, he sought permission of this Court to withdraw this petition and also made an endorsement to that effect. He further sought the indulgence of this Court to dispense with the personal appearance of the petitioners before the trial Court.



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6. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent and perused the materials available on record.

7. In view of the submission and endorsement made by the learned counsel appearing for the petitioners qua withdrawal, this Criminal Original Petition is dismissed as withdrawn. Consequently, the connected miscellaneous petition is closed. However, acceding to the request made by the learned counsel for the petitioners, the personal appearance of the petitioners before the trial Court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment, or any other date as may be required by the trial Court.

8. It is made clear that the petitioners shall be duly represented by their counsel before the trial Court on all hearing dates and that in the event of the petitioners being called upon by learned Magistrate, they shall appear before the Court.

29.01.2026

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Neutral Citation: Yes/No

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- To
1. The District Munsif-cum-Judicial Magistrate,
Uthukuli.
 2. The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
 3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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