



CrI.OP.No.1600 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM:

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

CrI.OP.No.1600 of 2026

and

CrI.MP.No.1011 of 2026

1. Sathyamoorthy
2. Vikramadharma
3. Deepan Chakaravarthi
4. Tamilvanan
5. Kaviarasan
6. Muruharaj @ Muruhadoss ...Petitioners

Vs.

1. State of Tamil Nadu rep. by,
The Inspector of Police,
Padalur Police Station,
Perambalur District.
Crime No.320 of 2016.
2. Kaliyamoorthy ...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records in Crime No.320 of 2016, on the file of the 1st respondent.



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For Petitioners : Mr.T.Balachandran

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1

ORDER

This criminal original petition has been filed seeking to set aside the FIR in Crime No.320 of 2016, on the file of the 1st respondent-police.

2. Based on the complaint given by the 2nd respondent, an FIR in Crime No.320 of 2016 came to be registered on the file of the 1st respondent-police for the offences under Sections 147, 148, 324 and 506(II) of IPC as against the petitioners and 5 others. Aggrieved by the same, the present petition has been filed.

3. Learned counsel for the petitioners submitted that it is a case of case and counter case and the de facto complainant, who is the husband of the President of the village, along with 6 others, assaulted the petitioners and others. Therefore, one Amulraj, who has been arrayed as A4 in the above FIR, gave a complaint before the respondent-police, pursuant to which, an FIR in Crime No.319 of 2016 came to be registered for the offences under



Sections 147, 148, 294(b), 323, 324 and 506(II) of IPC as against the 2nd respondent/de facto complainant and others and only as a counter blast, the present complaint has been lodged. However, without considering the said fact, the 1st respondent entertained the present false and exaggerated complaint made by the 2nd respondent, which is not sustainable. Accordingly, he prayed for setting aside the impugned FIR.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the 1st respondent submitted that in the latter case, both the parties have assaulted each other and both the parties suffered injuries. He further submitted that the 1st respondent-police are conducting enquiry in both the FIRs, in compliance with PSO 566, which mandates that in cases and counter-cases arising from the same incident, the Investigating Officer must investigate both, identify the real aggressor, and file a final report in order to prevent mechanical filing of charge sheets in both cases. He also submitted that the investigation is going on in the right lines and hence, at this juncture, the impugned FIR is not liable to be quashed.



5. Heard the learned counsel on either side and perused the materials available on record.

6. The facts are not in dispute. Admittedly, it is a case of case and counter case and that both the parties sustained injuries and therefore, the 1st respondent-police entertained the complaints given by both the parties and registered FIRs in Crime Nos.319 & 320 of 2016 and it has also been submitted by the learned Government Advocate (CrI. Side) that the respondent-police are conducting enquiry in both the cases simultaneously as mandated under PSO 566, in order to make sure that the investigation is done in an impartial manner.

7. Further, no sufficient grounds have been made out by the petitioners to interfere with the impugned FIR and therefore, this Court is not inclined to grant the prayer sought by the petitioners.

8. However, the 1st respondent-police is directed to complete the investigation in both the cases in Crime Nos.319 & 320 of 2016 respectively keeping in mind PSO 566 and the decision of the Full Bench of this Court in



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T.Balaji and Another Vs. The State [2024-2-L.W.(Crl.)175] and file the final reports within a period of two (2) weeks from the date of receipt of a copy of this order.

9. With the above directions, this criminal original petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

29.01.2026

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

1. The Inspector of Police,
Padalur Police Station,
Perambalur District.
2. The Public Prosecutor,
Madras High Court.



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