



WEB COPY

CRL OP No. 2293 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

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

**CRL OP No. 2293 of 2026
and Crl.M.P.No.1540 of 2026**

P.Jayaraj

..Petitioner(s)

Vs

1. The State Rep. by its Inspector of Police,
Mecheri Police Station,
Salem District.
(Crime No.378/2025)

2. Jeganathan

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the records relating to Crime No.378 of 2025 on the file of first respondent and quash the same.

For Petitioner(s):

Mr.P.Hasnah

For Respondent(s):

Mr.S.Santhosh,
Government Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.378 of 2025 pending on the file of the first respondent.



2. The case of the prosecution as per the de facto complainant is that, on 06.07.2025, at about 07.00 p.m., the victim / son of the de facto complainant went to the house of the petitioner to see his son. At that time, the petitioner along with his father and his sister assaulted the victim with a wooden log, as a result of which, the victim sustained grievous injuries. Based on the said complaint, a case in Crime No.378 of 2025 was registered for the offences punishable under Sections 296(b), 126(2), 115(2), 118(2) and 351(3) of BNS.

3. The learned counsel for the petitioner submitted that the petitioner is the brother of one Suthanthira Vanitha, who is the daughter-in-law of the de facto complainant and that the petitioner has been unnecessarily roped in in this case due to family dispute. He further submitted that the petitioner was not present at the scene of occurrence at the relevant point of time and has been falsely implicated.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that this is a case wherein the petitioner, along with A1 and A2, brutally assaulted the victim with a wooden log, resulting in the victim sustaining grievous injuries. He further submitted that the de facto complainant took the victim to the hospital and based on the intimation received from the hospital authorities, the case came to be registered. He also submitted



that the question as to whether the petitioner was present at the scene of occurrence or not is a matter to be investigated and the same cannot be adjudicated in a petition seeking quashment of the proceedings.

5. This Court has carefully considered the submissions made on either side and perused the materials available on record.

6. The petitioner has primarily contended that the petitioner was not present at the scene of occurrence. However, such a disputed question of fact cannot be gone into at this stage and the same is a matter for investigation. The records indicate that the victim sustained grievous injuries and that the case was registered based on medical intimation from the hospital.

7. At this stage, this Court does not find any ground to interdict the investigation. The allegations disclosed in the First Information Report prima facie make out a cognizable offence, and the veracity of the same has to be tested only during the course of investigation.



8. In view of the above, this Court is not inclined to quash the proceedings at this stage. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous Petition is closed.

03-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

1.The Inspector of Police,
Mecheri Police Station,
Salem District.

2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

VKR

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