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Crl.O.P.No.3335 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2026

CORAM:

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

Crl.O.P.No.3335 of 2026

Srividya

... Petitioner

Vs.

1. State represented by,
The Inspector of Police,
K3, Aminjikarai Police Station,
Chennai.

2. R.Mahalakshmi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records pertaining to the First Information Report in Crime No.745 of 2025 on the file of the first respondent police and quash the same.

For Petitioner : Mr.N.Naresh

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

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.745 of 2025, pending on the file of the first respondent police.



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2. The case of the prosecution is that the petitioner and the second respondent/de facto complainant are neighbours and that there exists a dispute between them, on account of which, on 30.10.2025, the accused abused and assaulted the de facto complainant, tore her dress, misbehaved with her and also threatened her with dire consequences. Hence, based on the complaint lodged by the second respondent/*de facto* complainant, the aforesaid case in Crime No.745 of 2025 was registered on the same day for the offences under Sections 126(2), 296(b), 115(2), 75(3) & 351(2) of BNS.

3. Learned counsel appearing for the petitioner submitted that the second respondent/de facto complainant was the aggressor and that on the alleged date of occurrence, due to the dispute, the petitioner herein sustained injuries. Therefore, a case in Crime No.746 of 2025 was registered against the second respondent for the offences under Sections 296(b), 118(1) and 351(3) of the BNS. He further submitted that the second respondent lodged a false complaint and that the first respondent police, without conducting a proper investigation, registered the present case. Hence, he prayed to quash the First Information Report as against the petitioner.



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4. Learned Government Advocate (Criminal Side) appearing for the first respondent police submitted that this is a case of case and counter and due to the dispute, both the petitioner and her daughter as well as the de facto complainant, assaulted each other. Hence, both the cases were registered. He further submitted that both the cases were registered only on 30.10.2025 and the investigation in both the cases is still pending. He also submitted that reasonable time should be granted to the investigating agency to conduct the investigation in both the cases.

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

6. In view of the above, this Court, finding that this is a case of case and counter arising out of the same occurrence, without going into the merits of the case, directs the first respondent police to follow the procedure contemplated under PSO 566 and conduct the investigation in both cases and file the final report within a period of **four months** from the date of receipt of a copy of this order.



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7. Accordingly, this Criminal Original Petition stands dismissed.

12.02.2026

Neutral Citation: Yes/No
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To

1. The Inspector of Police,
K3, Aminjikarai Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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