



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5920 of 2026

and

CRL MP No.4370 of 2026

1. Murugesan

2. Vijayakumar

Petitioner(s)

Vs

1. The Inspector of Police
B1 Police Station,
Dharmapuri District 636 704,

2.K.Pachiyappan

Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, praying to call for entire records in Crime No.29 of 2023 on the file of the Inspector of Police, B1 Police Station, Dharmapuri District and to quash the same by allowing this Criminal Original Petition.

For Petitioner(s): Mr.D.Prabakaran

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl. Side)
for R1
No appearance-R2



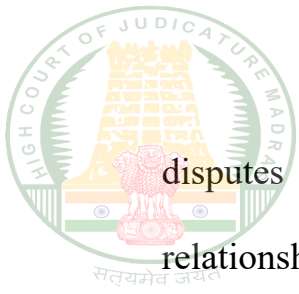
ORDER

This Criminal Original Petition has been filed to call for entire records pertaining to Crime No.29 of 2023 on the file of the Inspector of Police, B1 Police Station, Dharmapuri District and to quash the same.

2. The petitioners, who are the accused in Crime No.29 of 2023 registered for offences under Section 294(b), 323 and 324 of IPC, have filed the present petition, seeking to quash the said proceedings.

3. The case of the prosecution is that on 25.12.2022 at about 12.30 p.m., the de facto complainant/2nd respondent was playing with his dog and thereafter tied the dog in his field. After some time, the de facto complainant's brother namely Murugesan and his son allegedly entered the field and beat the dog. When the de facto complainant questioned their conduct, he was pushed down and assaulted with a wooden log and by hands. Thereafter, he was taken to Government Hospital for treatment, and subsequently lodged a complaint, on the basis of which the present case came to be registered.

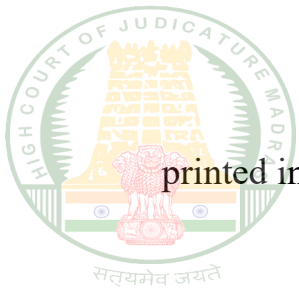
4. The learned counsel for the petitioners contended that the first petitioner is the brother of the second respondent and the second petitioner is the son of the first petitioner. According to him, there exists a long standing civil



disputes relating to ancestral property, which has resulted in strained relationship. It is further submitted that the 2nd petitioner, being a graduate has applied for various employment opportunities through Tamil Nadu Public Service Commission, and due to the pendency of the present criminal case, his employment prospects have been adversely affected. He further submitted that the dispute is purely a family dispute and that both the petitioners and the de facto complainant are presently residing peacefully without any issues between them.

5. Mr.R.Rajasekaran, learned Government Advocate (Crl. Side) appearing for the first respondent submitted that the petitioners and the 2nd respondent are close relatives and that there exists a civil dispute between them. The petitioners entered the field belonging to the de facto complainant, beaten the dog and when questioned by the de facto complainant, assaulted him. Thereby, the de facto complainant sustained injuries and underwent treatment at Dharmapuri Medical College Hospital. He further submitted that the injuries sustained by the de facto complainant are simple in nature. He also submitted that the investigation has been completed and that the petitioners have no previous criminal antecedents.

6. Though notice was served on the 2nd respondent and his name was



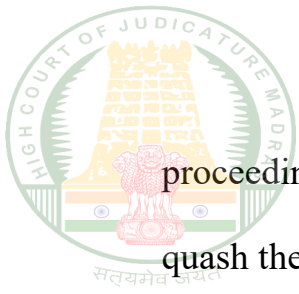
printed in the cause list, none appeared on his behalf.

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7. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the first respondent and also perused the materials available on record.

8. Considering the submissions made by the learned counsel on either side and upon perusal of the materials available on record, it is seen that the petitioners and the de facto complainant are closely related and that there exists a property dispute between them. It is further seen that a quarrel had arisen between the parties, following which the complaint came to be lodged. The medical records show that the injuries sustained by the de facto complainant are simple in nature. It also appears that the petitioner and the de facto complainant are presently residing peacefully without any issues. The second petitioner is stated to be a first generation graduate in his family, and the pendency of the criminal proceedings has adversely affected his employment prospects. It is also not in dispute that the petitioners have no previous criminal antecedents.

9. Having regard to the nature of the allegations, the relationship between the parties, and also taking into fact that the injuries sustained are simple in nature, this Court is of the view that the continuation of the criminal



proceedings would serve no useful purpose. Hence, this Court is inclined to quash the proceedings against the petitioners.

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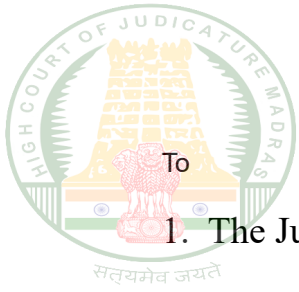
10. At this juncture, the learned Government Advocate (Crl.Side) appearing for the first respondent submitted that the charge sheet in LTN:20220001757C202600130, dated 29.03.2026 has already been filed and is yet to be numbered before the Judicial Magistrate-I, Dharmapuri.

11. In view of the above, the proceedings in Crime 29 of 2023 are quashed and consequently, the final report in LTN:20220001757C202600130, dated 29.03.2026 pending before the Judicial Magistrate-I, Dharmapuri is also quashed.

12. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petition is closed.

03-06-2026

Jd
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



1. The Judicial Magistrate-I, Dharmapuri.

2. The Inspector of Police, B1 Police Station,
Dharmapuri District.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.
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