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Crl.O.P.No.4407 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM:

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

Crl.O.P.No.4407 of 2026

and

Crl.M.P.No.3132 of 2026

1. S.Elangovan
2. K.Elayaperumal
3. T.Madan
4. B.Kathirvel ...Petitioners

Vs.

1. State represented by,
The Inspector of Police,
H-3, Tondiarpet Police Station,
Tondiarpet, Chennai.
Crime No.671 of 2025
2. S.K.Vijayasankar ...Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records and quash the proceedings as against the petitioners in Crime No.671 of 2025, pending on the file of the 1st respondent.

For Petitioners : Mr.C.Raghavan

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



Crl.O.P.No.4407 of 2026

ORDER

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This criminal original petition has been filed seeking to quash the First Information Report in Crime No.671 of 2025, pending on the file of the 1st respondent police.

2. The brief facts of the case are as follows:-

Based on the complaint given by the 2nd respondent/de facto complainant, alleging that due to certain disputes with regard to the administration of the trust namely, Thiruporur Kappal Nadar Amaravathi Ammal Trust, pending between the parties, on 20.11.2025 at about 2.00 pm, the petitioners along with about 20 henchmen, who were dressed in black and white, assaulted the 2nd respondent/de facto complainant and also criminally intimidated him, the 1st respondent police registered the aforesaid FIR in Crime No.671 of 2025 for the offences under Sections 191(2), 191(3) 329(4), 115(2), 118(1) and 351(2) of BNS as against the petitioners and others. Challenging the same, the petitioners have come up with this petition.

3. Learned counsel for the petitioners submitted that there was a dispute pending between the parties with regard to administration of the trust and only in order to wreak vengeance, the 2nd respondent/de facto



Crl.O.P.No.4407 of 2026

complainant made the present false and exaggerated complaint as against the petitioners and others by suppressing the pendency of civil suit between the parties and the order of status quo granted by the XI Assistant City Civil Court, Chennai, vide order dated 03.11.2025 made in I.A.Nos.2 & 3 of 2024 in O.S.No.7239 of 2024 and the 1st respondent-police, without considering the fact that the dispute is purely civil in nature and that the appropriate remedy lies before the competent civil court, entertained the complaint made by the 2nd respondent, which is not sustainable and the same is nothing but an abuse of process of law. He further submitted that it is the 2nd respondent/de facto complainant who is the aggressor, who along with his son and some henchmen, trespassed into the trust property, despite the order of status quo granted in favour of the petitioners and hence, the petitioners made a complaint against the 2nd respondent/de facto complainant and other accused persons. However, till date, no action has been taken on the said complaint. Accordingly, he prayed for setting aside the impugned FIR in Crime No.671 of 2025 as against the petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the 1st respondent police submitted that it is a case of case and counter case and based on the complaint given by the petitioners, an FIR in Crime No.672 of 2025 came to be registered against the 2nd respondent/de



Crl.O.P.No.4407 of 2026

facto complainant and others on the file of the very same respondent police.

He further submitted that during the above said occurrence, the 2nd respondent/de facto complainant sustained grievous injuries and he also produced documents to establish the same. He also submitted that the complaint has been made very recently only on 20.11.2025 and that the investigation is under progress and the respondent-police are conducting investigation in both cases by following the procedure contemplated under PSO 566 and they will ascertain whether the persons who came to the place of occurrence are Advocates and will file the final report in the manner known to law as expeditiously as possible.

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

6. In view of the above submission made by the learned Government Advocate (Criminal Side) that it is a case of case and counter case and that the impugned FIR in Crime No.671 of 2025 came to be registered only on 20.11.2025, this Court is of the view that enough time has to be given to the 1st respondent-police to investigate into the matter, as per the ratio laid down by the Hon'ble Apex Court in the case of ***State Represented by the Inspector of Police vs. M. Maridoss & Anr.*** (Criminal



Crl.O.P.No.4407 of 2026

Appeal No. 67 of 2023 decided on 09.01.2023), wherein it has been specifically held that it is the right conferred upon the Investigating Agency to conduct the investigation and reasonable time should be given to the Investigating Agency to conduct the investigation unless it is found that the allegations in the FIR do not disclose any cognizable offence at all or the complaint is barred by any law.

7. Hence, this Court, without interfering with the impugned FIR in Crime No.671 of 2025, directs the 1st respondent-police to follow the procedure contemplated under PSO 566 and conduct the investigation in both cases and file the final report(s) as expeditiously as possible.

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

23.02.2026

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Neutral Citation: Yes/No

To:

1. The Inspector of Police,
CCB – Avadi City Police Station,
Avadi – CCB Police Station.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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