



WEB COPY

CRL OP No. 7580 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 7580 of 2026
and CRL.MP.No.5433 of 2026**

1. O.Muniyappa
2. Srinivasa Muniyappa
3. Venugopal Muniyappa

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep by The Inspector of Police
Berigai Police Station,
Shoolagiri Taluk,
Krishnagiri District.
Crime NO.298 OF 2023.
2. Sobha

..Respondent(s)

To call for the records quash the FIR in crime no 298 of 2023 on the file of the first respondent police and quash the same.

For Petitioner(s):

Mr.N.Arunachalam

For Respondent(s):

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor, for R1



ORDER

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This petition is filed to quash the FIR in crime no 298 of 2023 on the file of the first respondent police.

2. The case of the prosecution is that the petitioners entered into the defacto complainant's land and destroyed the standing crops using a JCB machine and demanded her to vacate the property. Based on her complaint, the present complaint has been registered against the petitioners in Crime No.298 of 2023.

3. The learned counsel for the petitioners submitted that the petitioners earlier lodged a complaint against the defacto complainant, which was registered in Crime No.297 of 2023. The present complaint has been filed only as a counterblast to the said case.

4. It is evident that there exists a dispute between the petitioners and the defacto complaint, with regard to the enjoyment of the property. Since the present case is a case in counter, it cannot be considered independently. Both the cases must be examined together in a holistic manner. It is the duty of the investigation officer to consider both the cases simultaneously and thereafter take appropriate action as per the judgment of the Full Bench of this Court in



the case of *Balaji and others vs. State of Tamil Nadu and others* reported in 2024 (5) CTC 1 as well as the Police Standing Order No.566.

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5. In view of the above, this Court is not inclined to entertain the present petition. Accordingly, the Criminal Original petition is dismissed. Consequently, connected miscellaneous petition is closed.

25-03-2026

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

To

1. The Inspector of Police
Berigai Police Station,
Shoolagiri Taluk,
Krishnagiri District.
Crime No.298 of 2023.
2. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

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