



CrI. O.P. No. 11135 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI. O.P. No. 11135 of 2023

and

CrI. M.P. No. 7004 of 2023

1.Arun
2.Durai
3.Sundaram
4.Santhi

... Petitioners

Vs

1.The State represented by
The Inspector of Police,
Kambainallur Police Station,
Kambainallur,
Dharmapuri District.

2.T. Chandrasekar

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C. No. 223 of 2023 on the file of the District Munsif Cum Judicial Magistrate Court, Karimangalam, Dharmapuri District and quash the same.

For Petitioners : Mr. P. Thirumalaivasan

For Respondents : Mr.A.Gopinath, for R1
Government Advocate (CrI.Side)
No Appearance for R2



CrI. O.P. No. 11135 of 2023

ORDER

This Criminal Original Petition has been to quash the proceedings in C.C. No. 223 of 2023 on the file of the District Munsif-Cum-Judicial Magistrate Court, Karimangalam, Dharmapuri District.

2. The case of the prosecution is that on 20.03.2021, the petitioners trespassed into the property belonging to the 2nd respondent comprised in S.No.84/1B situated at Chinna Goundampatti Village, Harur Taluk, Dharmapuri District and assaulted the 2nd respondent with hands. They also scolded the 2nd respondent in filthy language and threatened him with dire consequences.

2.1. On the basis of the complaint, the 1st respondent registered an FIR in Crime No.81 of 2021. After completion of the investigation, a final report was filed for the offences punishable under Sections 294(b), 323, 447 and 506(1) IPC and the same has been taken cognizance by the trial Court.

3. The learned counsel for the petitioners submits that the petitioners are arrayed as A1 to A4 and all of them are members of the same family. The 2nd respondent is a neighbouring landowner and there exists previous enmity between the two families with regard to disposing of garbage. While being so, on 20.03.2021, a quarrel arose between the family members of both sides and the complaint has been lodged as against the petitioners.



Crl. O.P. No. 11135 of 2023

4. Though notice was served on the second respondent and his name is printed in the cause list, none has entered appearance.

5. On perusal of the entire records, including the charge sheet, it is seen that the allegations are trivial in nature. Even according to the case of the prosecution, one of the petitioners had beaten the 2nd respondent with his hand and pushed him. However, no injury was sustained by the 2nd respondent and no treatment was taken by him.

6. In view of these allegation, the petitioners need not undergo the ordeal of trial. In view of the above, the proceedings cannot be sustained and are liable to be quashed.

7. Accordingly, the proceeding in C.C. No. 223 of 2023 pending on the file of the District Munsif-Cum-Judicial Magistrate Court, Karimangalam, Dharmapuri District, is hereby quashed and this Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petition is closed.

10.03.2026

Neutral Citation :Yes/No
AT



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Crl. O.P. No. 11135 of 2023

G.K.ILANTHIRAIYAN. J,

AT

To

- 1.The District Munsif Cum Judicial Magistrate Court,
Karimangalam, Dharmapuri District
- 2.The Inspector of Police,
Kambainallur Police Station,
Kambainallur,
Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.

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