



CrI.O.P.No.17262 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.17262 of 2023 and
CrI.MP.Nos.11186 & 11188 of 2023

1.M.Ezhumalai
2.E.Parthiban

... Petitioners

Vs.

1.The State of Tamilnadu,
Rep. By the Sub Inspector of Police,
Kottakuppam Police Station,
Villupuam District
crime No.16 of 2017
2.Gopi

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Cr.P.C.
praying to quash the final report in CC.No.46 of 2020 pending trial on the
file of the learned District Munsif cum Judicial Magistrate, Vanur as the
same is an abuse of process of law.

For Petitioners : Mr.S.Karthikeyan

For Respondents

For R1 : Mr.A.Gopinath,
Government Advocate(crl.side)

For R2 : No appearance

ORDER

This criminal original petition has been filed praying to



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quash the final report in CC.No.46 of 2020 pending trial on the file of the learned District Munsif cum Judicial Magistrate, Vanur.

2. The case of the prosecution is that on 06.01.2017, when the defacto complainant's wife-Visalakshi was cleaning the temple which he was building, the petitioners/Accused-1 and 2 came and asked her as to how she could clean their land. They also used abusive language and Accused-1 kicked Gopi in the stomach. When she fell down, Accused-2 punched in her chest. Finally, they threatened her. Hence the complaint was preferred and the same was registered in Crime No.16 of 2017. Therefore, on completion of investigation, the first respondent filed report and the same was taken cognizance in CC.No.46 of 2020 on the file of the learned District Munsif cum Judicial Magistrate, Vanur.

3. Heard the learned counsel appearing on either side and perused all the materials placed before this Court.

4. It is seen that for the very same occurrence, the first petitioner also lodged complaint and the same was registered in crime No.18 of 2017 on the file of the first respondent. In both the FIR's the first respondent found that both the parties are aggressors and filed final

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reports. In respect of the complaint of the present defacto complainant, the trial court took cognizance in CC.No.46 of 2020. The complaint lodged by the first accused was taken cognizance in CC.No.47 of 2020 for the offence punishable under Sections 294(b), 323, 447, 427 & 506(i) of IPC. On perusal of the entire records and on perusal of both the final reports, it is revealed that the allegations are trivial in nature and the dispute arose with regard to removal of palm tree and neem tree. Therefore, in order to meet the ends of justice, this Court is inclined to quash both the proceedings since the allegations are trivial in nature.

5. Accordingly, the entire proceedings in CC.No.46 of 2020 and CC.No.47 of 2020 on the file of the learned District Munsif cum Judicial Magistrate, Vanur, are quashed and this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

29.04.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1. District Munsif cum Judicial Magistrate, Vanur
2. The State of Tamilnadu,
Rep. By the Sub Inspector of Police,
Kottakuppam Police Station,
Villupuam District
3. The Public Prosecutor,
High Court of Madras

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