Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 18959 of 2026

CNR:{HCMA011579792026}

and

CRL MP No. 12629 of 2026

1. Kubenthiran
2. Mayavel
3. Thangaraj
4. Ramkumar
5. Selvam
6. Ravichanthiran
7. Subramaniyan
8. Subramaniyan
9. Vengadesan
10. Velmurugan
11. Vengadesan
12. Mahadevan

..Petitioner(s)

Vs

1. The State Rep by its,
   The Station House Officer,
   V.Kalathur Police Station,
   Perambalur District.

2. Kandhasamy

..Respondent(s)

PRAYER: Criminal Original Petition filed under section 528 of BNSS, praying to call for the records pertaining to a case in Cr.No.158 of 2015 on the file of 1st respondent and quash the same.

For Petitioner(s): Mr. G.prabhu

For Respondent(s): Mr. A.Amarnath, Additional Public Prosecutor for R1
R2- Notice served, No appearance

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ORDER

This petition has been filed to quash the F.I.R in Crime No.158 of 2015 registered for the offences under Sections 147, 148, 336, 436 of IPC r/w Section 3(1) TNPPDL Act, 1992, on the file of 1st respondent.

2 Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3 Despite service of notice, there is no representation for the third respondent either in person or through counsel.

4 On the complaint lodged by the 2nd respondent, the 1st respondent registered the F.I.R in Crime No.158 of 2015 for offences under Sections 147, 148, 336, 436 of IPC r/w 3(1) of TNPPDL Act 1992, alleging that the defacto complainant had a small hut and there was a quarrel between the defacto complainant and the accused. On 03.05.2015, during the full moon festival, the accused kept a digital banner and serial light, which was questioned by the defacto complainant and his community persons. Therefore, the accused damaged the house of the defacto complainant and burnt the hut.

5 It is seen for the very same occurrence, one of the accused herein also lodged a complaint as against the second respondent herein, which was

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registered in Crime No.157 of 2015 for offenses 148, 336, 436 r/w 3(1)(r), 3(1)(s) of SC/ ST, (PoA) Act-2014, 3(1)(14) of SC/ST (PoA) Act, 1989, & 3(1) of TNPPDL Act. After the completion of investigation in Crime No.157 of 2015, a final report was filed and the same has been taken cognizance by the Trial Court in Spl.S.C.No.11 of 2018 as against 29 accused persons. After a full fledged trial, the Trial Court acquitted all the accused vide judgement dated 19.11.2019. However, the present F.I.R registered against these petitioners is pending without any progress.

6 Considering the facts and circumstances of the case, and also taking note of the fact that the counter case was already ended in acquittal and in order to meet the ends of justice, this Court is inclined to quash the entire F.I.R in Crime No.158 of 2015.

7 Accordingly, this Criminal Original Petition stands allowed and the F.I.R in Crime No.158 of 2015 on the file of 1st respondent is hereby quashed and its consequential final report, if any, is also quashed.

30-10-2026

Speaking/Non-speaking order
Neutral Citation: Yes/No
cgi/ksk
To

1. The Station House Officer, V.Kalathur Police Station,

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Perambalur District.
2. The Public Prosecutor, Madras High Court.

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G.K.ILANTHIRAIYAN J.

KSK

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