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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MRS.JUSTICE S.ALLI

CRL MP No. 15589 of 2026
in
Crl OP No.32591 of 2025

R.Natarajan,
S/o. Rajamanickam,
No.3/A, Thaalai Street,
Solai Nagar,
Puducherry - 605 003.

..Petitioner(s)

Vs

1. Gurumoorthy,
   S/o Raji @ Raja,
   No.79, ECR Main Road,
   Chinnakalapet,
   Puducherry – 605014.

2. Sarojini @ Saroja,
   W/o Raji @ Raja,
   No.79, ECR Main Road,
   Chinnakalapet,
   Puducherry - 605014.

3. Amudha,
   W/o.Sivaguru,
   No.79, ECR Main Road,
   Chinnakalapet,
   Puducherry - 605014.

4. Sudha,
   W/o.Santhosh,
   No.79, ECR Main Road,
   Chinnakalapet,
   Puducherry – 605014.

5. The State Rep by
   The Inspector of Police,

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Kalapet Police Station,
Puducherry.
Crime no.13 of 2022.

..Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to vacate the Interim Stay order dated 28.11.2025 passed in Crl.O.P.No.32591 of 2025 and Crl.M.P.Nos,22637 and 22638 of 2025.

For Petitioner(s):	Mr.R.Imayavaramban for Ramalingam and Associates Mr.D.Senthil Kumar for R1 to R4
For Respondent(s):	Mr.M.Tamizhmani, Assisted by Mr.M.V.Ramachandramurthy, Public Prosecutor (Puducherry) for R5

ORDER

This petition has been filed by the second respondent/de facto complainant seeking to vacate the interim order of stay granted by this Court on 28.11.2025 in Crl.O.P.No.32591 of 2025 and Crl.M.P.No.22637 of 2025.

2.The case of the petitioners in the main Criminal Original Petition is that the second petitioner had filed a partition suit in O.S. No.182 of 2018 before the Principal District Court, Puducherry, and that an application was subsequently filed seeking to implead the second respondent/de facto complainant as a party to the said suit. According to the petitioners, the criminal complaint lodged by the second respondent was only a counterblast to the said impleading

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proceedings. While granting interim stay on 28.11.2025, this Court had observed that the question as to whether the criminal complaint was a counterblast to the impleading proceedings in the civil suit would be considered at the time of disposal of the main Criminal Original Petition.

3.The learned counsel appearing for the applicant/second respondent would submit that the civil proceedings and the criminal proceedings are independent of each other and that the criminal complaint was lodged pursuant to the alleged acts of trespass, abuse and criminal intimidation committed by the petitioners. It is further submitted that the interim stay granted by this Court has resulted in the criminal proceedings pending before the learned Judicial Magistrate No.V, Puducherry, being kept in abeyance for nearly one year. Hence, the learned counsel seeks to vacate the interim order of stay and permit the trial Court to proceed with the trial.

4.The learned counsel appearing for the respondent/petitioners opposed the petition.

5.This Court has considered the submissions made on either side and perused the materials available on record.

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6.It is seen that, by order dated 28.11.2025, this Court had granted an interim stay of all further proceedings in S.T.C. No.1382 of 2023, pending on the file of the learned Judicial Magistrate No.V, Puducherry, until further orders. The said interim order was passed while considering the contention of the petitioners that the criminal complaint was lodged as a counterblast to the impleading proceedings in O.S. No.182 of 2018, pending before the Principal District Court, Puducherry.

7.However, the question as to whether the criminal complaint was lodged as a counterblast to the civil proceedings is a matter to be considered at the time of final disposal of the main Criminal Original Petition. At this stage, this Court is not inclined to express any opinion on the merits of the rival contentions raised in the main petition.

8.Considering the fact that the criminal proceedings in S.T.C. No.1382 of 2023 have remained stayed from 28.11.2025 and that the main Criminal Original Petition is yet to be disposed of, this Court is of the view that the interim order of stay need not be continued any further. Accordingly, the interim stay granted by this Court on 28.11.2025 is vacated, thereby enabling the learned Judicial Magistrate No.V, Puducherry, to proceed with the trial in accordance with law.

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9.Accordingly, this Criminal Miscellaneous Petition is allowed. The interim order of stay granted by this Court on 28.11.2025 in Crl.O.P. No.32591 of 2025 and Crl.M.P. Nos.22637 and 22638 of 2025 is hereby vacated.

10.Post the main Criminal Original Petition on 02.12.2026.

04-11-2026

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

To

1.The Judicial Magistrate No.V, Puducherry.

2.The Inspector of Police,
Kalapet Police Station,
Puducherry.

3.The Public Prosecutor,
High Court of Madras.

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S.ALLI, J.

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