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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 31335 of 2026

CNR:{HCMA012559392026}

and

CRL MP No. 20806 of 2026

1. V.Radhapathy
   S/o Venkatesan,
   No.128, Middle Street,
   Velayampakkam Village and Post,
   Tiruvannamalai-606 811.
2. R.Nammazhvar
   S/o Radhapathi,
   No.128, Middle Street,
   Velayampakkam Village and Post,
   Tiruvannamalai-606 811.

3. Kulasekaran.R
   S/o Radhapathi,
   No.128, Middle Street,
   Velayampakkam Village and Post,
   Tiruvannamalai-606 811.

4. R.Balaraman
   S/o Radhapathi,
   Residing at Naga Paying Guest Hostel,
   No.17, Buddar Street,
   Thanthai Periyar Nagar,
   Tharamani,
   Chennai.

..Petitioner(s)

Vs

1. The State rep by
   The Sub Inspector of Police
   Thachampet Police Station,
   Tiruvannamalai District,
   Crime No.128 of 2025.

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2. Silamarasan
S/o Elumalai,
Residing at No.101, Nadu Street,
Velaiyampakkam Village and Post,
Tiruvannamalai Taluk and District.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records in C.C.No.127 of 2026 pending on the file of Judicial Magistrate Court No.1, Tiruvannamalai and quash the same.

For Petitioner(s): Mr.R.Prakalathan
For Respondent(s): Mr.R.Ganesh Kumar
Public Prosecutor for R1

ORDER

This petition has been filed to quash the proceedings in C.C.No.127 of 2026 pending on the file of Judicial Magistrate Court No.1, Tiruvannamalai, thereby taken cognizance for the offences under Sections 296(b), 115(2), 118(1), 74, and 351(2) of BNS.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.The case of the prosecution is that on 11.09.2025, at around 6.00 pm., the second respondent was trimming the branches of a tree standing on his land. At that time, the first petitioner, who owns the adjacent land, came running towards the second respondent and verbally abused him using filthy language.

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When the second respondent replied that he was not cutting down the tree but was only trimming the branches that was extending over his land, the first petitioner picked up a wooden log lying on the ground and attempted to assault the 2nd respondent. When the second respondent warded off the blow, the first petitioner fell down. Immediately, the second petition rushed towards the second respondent and shouted, "How dare you push my father down!". He then pushed the second respondent to the ground, bit him the left side of his chest and caused an injury. When the second respondent attempted to defend himself, the second petitioner also bit his left hand, causing another injury. Furthermore, the third petitioner repeatedly kicked the second respondent in the stomach, causing internal injuries. On witnessing this, the second respondent's son, Bharath (LW2), came running to rescue him. At that point, the third petitioner tuned towards LW2, hurled abuses using filthy language, threatened to kill him then and there, pushed him to the ground and repeatedly assaulted him with a wooden stick on his back and neck, causing internal injuries to LW2.

3.1.Upon hearing the commotion, the second respondent's elder sister, Anajalai (LW3), ran to the spot to stop the altercation. On seeing her, the first petitioner's second son, the fourth petitioner, verbally abused LW3 using filthy language and threatened her, stating, "Why are you coming here? Come forward, and I will murder and bury you right here." He then caught hold her left hand and bit it, causing internal injuries. When the second respondent's

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other sister's son, Thamilrasan (LW4), intervened, the fourth petitioner assaulted him and snatched the two-sovereign gold chain he was wearing. The gold chain broke and fell to the ground. Despite an extensive search, it could not be traced. Based on the complaint lodged by the second respondent, the first respondent registered an FIR in Crime No.128 of 2025 Sections 296(b), 115(2), 118(1), 74, and 351(2) of BNS. After completion of the investigation, the first respondent filed final report and the same has been taken cognizance in C.C No.127 of 2026 by the trial Court.

4.For the very same occurrence, the petitioners also lodged a complaint, based on which a case was registered in Crime No.129 of 2026. After the completion of the investigation, the first respondent filed final report and the same has been taken cognizance in C.C No.171 of 2026 on the file of the Judicial Magistrate No.I, Tiruvannamalai.

5.On a perusal of the materials on record, it revealed that the dispute arose out of a land dispute between the second respondent and the first petitioner, which resulted in a quarrel and altercation between the parties. All the allegations are trivial in nature and the parties sustained simple injuries. In order to meet the ends of justice, this Court is inclined to quash the proceedings in C.C Nos.127 of 2026 and 171 of 2026 pending on the file of the Judicial Magistrate No.I, Tiruvannamalai.

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6.Accordingly, the proceedings in in C.C Nos.127 of 2026 and 171 of 2026 pending on the file of the Judicial Magistrate No.I, Tiruvannamalai are hereby quashed and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

29-10-2026

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

Uma

To

1. The Judicial Magistrate Court No.I,
   Tiruvannamalai.

2. The Sub Inspector of Police
   Thachampet Police Station,
   Tiruvannamalai District,
   Crime no.128 of 2025.

3. The Public Prosecutor
   High Court of Madras.

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G.K.ILANTHIRAIYAN J.

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