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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 32621 of 2026
CNR:{HCMA012579592026}
AND
CRL MP NO. 21471 OF 2026

Case QR

1. Leela
   W/o.Nagarajan,
   G-2, Royal Castle,
   George Avenue,
   Selaiyur, Chennai.

2. Varsha Nagarajan
   D/o.Leelavathi,
   G-2, Royal Castle,
   George Avenue,
   Selaiyur, Chennai.

..Petitioner(s)

Vs

1. The State represented by its
   Inspector of Police
   Selaiyur Police Station,
   Pallikaranai, Chennai.

2. K.Priyadharshini
   W/o.Kumaravadivel,
   G1, Royal Castle,
   George Avenue,
   Selaiyur, Chennai.

..Respondent(s)

Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the impugned C.C.No.136 of 2026 on the file of the Judicial Magistrate Court - II, Tambaram and to quash the same.

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For Petitioner(s): Mr.P.Vijendran

For R1: Mr.R.Ganesh Kumar
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to quash the proceedings in C.C.No.136 of 2026 on the file of the Judicial Magistrate Court - II, Tambaram.

2. The case of the prosecution is that the first petitioner entered into tenancy with one Rajanarayanan for an apartment at Flat No.G-1, Royal Castle, George Avenue, Selaiyur; later, the first accused agreed to purchase the said property for the total sale consideration of Rs.37,00,000/-, pursuant to which, the first petitioner had also advanced some amount to purchase the subject property; thereafter, due to pandemic, the first petitioner could not able to pay the balance sale consideration; therefore, the said Rajanarayanan filed a petition for eviction in R.L.T.O.P.No.23 of 2021 alleging abuse and non-payment of rent for vacating the premises; pending the eviction petition, the *de facto* complainant purchased the subject property; when the *de facto* complainant insisted the petitioners/accused to evict the premises, there were wordy altercation between them, in which, the petitioners/accused scolded the *de facto* complainant and abused her in filthy language. Hence, the complaint.

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3. On receipt of the said complaint, the first respondent registered a case in Crime No.443 of 2024 for the offences under Sections 296(b) and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for brevity "the BNS"). After completion of the investigation, the first respondent filed final report and the same was taken cognizance in C.C.No.136 of 2026 and it is pending for trial on the file of the Judicial Magistrate Court No.II, Tambaram.

4. For the very same occurrence, one of the accused has lodged a complaint and a case in Crime No.441 of 2026 has been registered for the offences under Sections 119(2), 329(4), 296(b), 115(b) and 351 of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in which, the second respondent/*de facto* complainant is one of the accused. After completion of the investigation, the first respondent filed final report in C.C.No.398 of 2026 and it is also pending trial on the file of the Judicial Magistrate Court No.II, Tambaram.

5. The dispute arose between the tenant and landlord, inasmuch as, when the landlord insisted the tenant to vacate the premises, there was a dispute between them. That apart, the *de facto* complainant as well as the accused sustained simple injuries. Therefore, in order to meet the ends of justice, this Court is inclined to quash both the proceedings in C.C.Nos.136 and 398 of 2026.

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6. Accordingly, the proceedings in C.C.Nos.136 and 398 of 2026 pending on the file of the Judicial Magistrate Court No.II, Tambaram, stand quashed, on condition that the petitioners shall vacate the premises on or before 10.12.2026, failing which, the present order quashing the aforesaid proceedings stands automatically cancelled and thereafter, the trial Court shall proceed with the trial in accordance with law.

7. Accordingly, this criminal original petition stands allowed. Connected Crl.M.P. is closed.

11-11-2026

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

nsd

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To

1. The Judicial Magistrate No.II,
   Tambaram.

2. The Inspector of Police
   Selaiyur Police Station,
   Pallikaranai,
   Chennai.

3. The Public Prosecutor,
   Madras High Court, Chennai.

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G.K.ILANTHIRAIYAN J.

nsd

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