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CrI.O.P.No.36194 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.36194 of 2025
and CrI.M.P.No.24939 of 2026

1.S.Suresh

2.V.Natesan

... Petitioners

Vs.

1. The State Represented by,
The Inspector of Police,
Mohanur Police Station,
Namakkal District 637 020.
(Crime No.312 of 2024)

2. Jaisankar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, to call for the records relating to C.C.No.376 of 2025 on the file of the learned Judicial Magistrate No.II, Namakkal and to quash the same.

For Petitioners : Mr.P.Tamilavel

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.376 of 2025 on the file of the learned Judicial Magistrate No.II, Namakkal.

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2. The case of the prosecution as per the defacto complainant is that there was a civil dispute pending between him and the petitioners.

While so, on 25.11.2024, the accused persons had attempted to lay a pipe line and when it was prevented by the defacto complainant, the accused persons have abused and assaulted him with an iron rod resulting in him sustaining grievous injuries. Hence, a complaint has been registered against the petitioners and the other accused.

3. The learned counsel for the petitioners submitted that there was a civil dispute pending between the first petitioner and the defacto complainant and thereby, a false complaint has been given against the petitioners. He also submitted that the first respondent Police, after completing investigation, filed the final report and the case has been taken up for trial in C.C.No.376 of 2025 on the file of the learned Judicial Magistrate No.II, Namakkal. Hence, he prayed to quash the proceedings against the petitioners.

4. Per contra, the learned Government Advocate (criminal side), appearing for the first respondent submitted that though a civil dispute is pending, on 25.11.2024, the petitioners, along with A1, attempted to lay a pipe line which was prevented by the defacto complainant and hence, they

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have assaulted the defacto complainant with an iron rod resulting in him sustaining grievous injuries. He further submitted that the victim was taken to the hospital in an ambulance and the doctor has certified that the injuries sustained by the victim are grievous in nature and it is also supported by the medical records.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the first respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is not inclined to quash the proceedings. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous petition is closed.

08.01.2026

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Neutral Citation: Yes/No



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A.D.JAGADISH CHANDIRA, J.

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To

1. The Judicial Magistrate No.II,
Namakkal.
2. The Inspector of Police,
Mohanur Police Station,
Namakkal District 637 020.
3. The Public Prosecutor,
High Court of Madras.

**Crl.O.P.No.36194 of 2025
and Crl.M.P.No.24939 of 2025**

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