



WEB COPY



Crl.O.P.No.34719 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM:

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

Crl.O.P.No.34719 of 2025  
and  
Crl.M.P.Nos.24329 & 24336 of 2025

1.Mohanraj

2.Girija

... Petitioners

Vs.

1.State: Inspector of Police  
E-2, Thirukazhukundram Police Station,  
Chengalpet.

2.Ruthirakottai

... Respondents

**Prayer:** Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records and quash the proceedings in C.C.No.173 of 2025 pending on the file of Learned District Munsif cum Judicial Magistrate, Thirukazhukundram.

For Petitioner : Mr.M.Arun

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

### **ORDER**

This Criminal Original Petition has been filed seeking to quash the proceedings against the petitioner in C.C.No.173 of 2025 on the file of



Crl.O.P.No.34719 of 2025

Learned District Munsif-cum-Judicial Magistrate, Thirukazhukundram.

WEB COPY

2. The learned counsel appearing for the petitioners submitted that due to a quarrel between the neighbours, a false case has been foisted against the petitioners. He further submitted that even according to the de facto complainant, the alleged motive pertains to certain superstitious beliefs, which led to a dispute, during the course of which the incident is stated to have occurred. He also contended that continuation of the proceedings would be a wasteful exercise for this Court as there is no medical report to conclusively prove that the victim sustained injuries in the alleged occurrence.

3. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police submitted that during the quarrel, the petitioners assaulted the de facto complainant. He further submitted that the doctor has been examined and as per his statement, the victim sustained injuries.

4. At this juncture, the learned counsel for the petitioners sought permission of this Court to withdraw the present petition. He also made an



Crl.O.P.No.34719 of 2025

endorsement in the petition to that effect. However, he prayed that the presence of the petitioners before the trial Court may be dispensed with.

5. In view of the submission and the endorsement made by the learned counsel for the petitioners, this **Criminal Original Petition stands dismissed as withdrawn.**

6. Considering the submissions of the learned counsel for the petitioners, the personal appearance of the petitioners before the trial Court is dispensed with except for receipt of copies, answering the charges, questioning under section 313 Cr.P.C./Section 351 of BNSS, on the date of pronouncing judgment and also on any other dates as may be required by the trial Court. It is made clear that the petitioners shall be duly represented by their counsel on all hearing dates. Consequently, Crl.M.P.No.24336 of 2025 is ordered accordingly and Crl.M.P.No.24329 of 2025 is closed.

**02.01.2026**

*rpl*

To

1. The District Munsif cum Judicial Magistrate, Thirukazhukundram.



WEB COPY



Crl.O.P.No.34719 of 2025

**A.D.JAGADISH CHANDIRA, J.**

*rpl*

2. The Inspector of Police  
E-2, Thirukazhukundram Police Station,  
Chengalpet.
3. The Public Prosecutor,  
High Court of Madras.

***Crl.O.P.No.34719 of 2025  
and  
Crl.M.P.Nos.24329 & 24336 of 2025***

***02.01.2026***