



CrI.OP(MD)No.1266 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrI.O.P.(MD).No.1266 of 2026
and CrI.M.P(MD).No.1318 of 2026

P.Sivaraman

...Petitioner

Vs.

**1.The State of Tamil Nadu,
rep., by the Inspector of Police,
South Tamaraikulam Police Station,
Kanyakumari District.
Crime No.173 of 2025**

2.Mutharasi @ Amutha

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Crime No.173 of 2025 dated 04.08.2025 on the file of the first respondent and quash the same.

For Petitioner : Mr.M.K.Suresh
For R1 : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

Seeking quashment of FIR in Crime No.173 of 2025 on the file of the first respondent police for the offences under Sections 296(b), 351(3) BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 dated 04.08.2025, this criminal original petition is filed.

2.The learned counsel for the petitioner submitted that the petitioner is the sole accused in the said crime. According to him, there is an existing dispute between the petitioner and the *de facto* complainant relating to a Government water pipeline. Owing to this previous enmity, the *de facto* complainant has foisted a false case against the petitioner, alleging that he harassed the second respondent and that the case of the prosecution is that on 03.08.2025 at about 7.45 p.m., when the *de facto* complainant returned home after shopping, the petitioner abused her with unparliamentary words and criminally intimidated her. It was further contended that the entire prosecution version is false and that no *prima facie* case is made out against the petitioner and hence the petitioner seeks quashment of the FIR.



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3.Per contra, the learned Additional Public Prosecutor submitted that the petitioner is a practicing Advocate. The husband of the defacto complainant is in abroad and the defacto complainant is living alone as a neighbor to the petitioner. A plain reading of the FIR itself would make it clear that *prima facie* case is clearly made out as against the petitioner and sought for dismissal.

4.Heard the submission on either side and carefully perused the materials available on record.

5.It is needless to state that the qualifying words, which would attract an offence under Section 294(b) of the IPC, were clearly spoken against the *de facto* complainant, as recorded in the First Information Report. Further, it is evident that the petitioner had harassed the *de facto* complainant. Accordingly, a *prima facie* case is made out against the



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petitioner. In view of the same, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

23.01.2026

NCC : Yes / No
Index : Yes / No
Rmk

To

- 1.The Inspector of Police,
South Tamaraikulam Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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