



CRL OP(MD). No.1537 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17/03/2026

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THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD). No.1537 of 2025

and

CrI.M.P(MD).No.1038 of 2025

1. K.V.M.Jeeva,
2. V.Kennady,
3. V.Justin,
4. V.Aalish Mary,
5. Sarckaraiya @ Sarkarai,

... Petitioners

Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.
Crime No.410 of 2024..

2. A.Manickam,
S/o.A.Anothony,

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the Crime No.410 of 2024 on the file of the Kodaikkandal Police Station, dated 05.11.2024 and Quash the same as illegal as against these petitioners.



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For Petitioner : Mr.P.Sujai Krishana,
For R1 : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

ORDER

The present petition has been filed by the accused persons in Crime No. 410 of 2024, on the file of the first respondent police, seeking to quash the FIR. The petitioners are alleged to have committed offences under Sections 191(3), 296(b), 118(1) and 351(2) of the BNS, 2023.

2. A perusal of the FIR reveals that the petitioners are said to have abused the defacto complainant and also attacked him.

3. The learned counsel appearing for the petitioners submitted that a false case has been foisted against the petitioners herein. He further submitted that as against A4 and A5, no overt act has been mentioned in the FIR and therefore, this Court may consider quashing the FIR at least as against A4 and A5.

4. Percontra, the learned Government Advocate (Crl.Side) appearing for the respondent police submitted that all the accused



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persons jointly abused and attacked the defacto complainant and therefore, no grounds have been made out for quashing the FIR as against any of the accused persons.

5. Heard both sides and perused the materials available on record.

6. A perusal of the FIR clearly reveals that specific overt acts have been alleged as against accused Nos. 1 to 3, in that they abused and attacked the defacto complainant. Therefore, a *prima facie* case has been made out for continuation of the investigation as against A1 to A3.

7. Insofar as A4 and A5 are concerned, no overt act has been alleged against them in the FIR and also considering their ages being 75 and 81 years respectively, this Court is of the considered opinion that the FIR is liable to be quashed as against A4 and A5 alone.

8. In view of the above said facts, this Criminal Original Petition is partly allowed and the FIR in Crime No.410 of 2024 is quashed as against A4 and A5 alone and the respondent police shall proceed with the



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investigation as against the other accused in accordance with law.

Consequently, connected miscellaneous petitions are closed.

17.03.2026

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To

1. The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
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Date : 17/03/2026