



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2026

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THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

**Crl. OP(MD).No.4672 of 2026
and Crl.MP(MD).Nos.4973 and 5962 of 2026**

Muthu Adaikkappan
The President of the Seethalakshmi Achi College for
Women and Endowment Trust
Member of School and College Committee
Dhanalakshmi Vilas No.22, OA Street, Pallathur
Sivagangai District
Kumbakonam

....Petitioner

Vs

1.The State of Tamil Nadu
Rep.by the Inspector of Police
Pallathur Police Station
Sivagangai District
Crime No.4 of 2026

2.O.A.A.A.AP.Annamalai Chettiar
The Correspondent and Secretary of
Seethalakshmi Achi College for Women and Endowment Trust
No.22, OA Street, Pallathur
Sivagangai District

....Respondents

Prayer: This petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the FIR in Crime No.4 of 2026 dated 04.01.2026 on the file of the respondent police Sivagangai District, offences under Section 296(b) and 115 of the Bharatiya Nyaya Sanhita (BNS), 2023 and quash the same insofar as the petitioners are concerned.



For Petitioner : M/s.B.Bhuvaneshvari
For Respondents :Mr.B.Thanga Aravindh
Government Advocate (Crl.side) for R1
:M/s.A.N.Meenakshi for R2

ORDER

The accused in Crime No.4 of 2026 on the file of the respondent police has filed the present petition seeking to quash the F.I.R wherein the petitioner is alleged to have committed offences under Sections 296(b) and 115 of the Bharatiya Nyaya Sanhita (BNS), 2023.

2.A perusal of the F.I.R reveals that the complainant had alleged that there is a dispute between himself and his brother (accused) with regard to the administration of the college. On 29.12.2025, when complainant had entered into the college, his brother (accused) had abused him and threatened him that he should not enter into the college. It is further alleged in the F.I.R that by using hands, the accused person is said to have beaten the defacto complainant in his stomach and attacked the Office Assistant also. Since the injuries were very minor in nature, they have not gone to the hospital. It is further alleged in the complaint that the accused is stopping him from implementing the orders of the High Court.



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3. According to the learned counsel appearing for the petitioner, the allegations even if they are assumed to be true, it relates to the administration of the college and on the allegation of causing some minor injuries, the present F.I.R has been registered.

4. The learned counsel for the petitioner had further submitted that no such incident has taken place on the said date, but only to implicate the petitioner in a criminal case, such a complaint has been lodged. She had further submitted that the ingredients of Section 115 of BNS have not been made out. Section 33 of BNS would be attracted wherein in case, if harm is so slight that no person of ordinary sense and temper would complain of such harm, no offence is made out. She further submitted that the obscene words have not been specifically mentioned in the F.I.R. Therefore, the ingredients of Section 296(b) of BNS have not been made out.

5. Per contra, the learned counsel appearing for the defacto complainant had raised a strong objection for considering the petition to quash the F.I.R. She had further submitted that it does not relate to the administration of the college. The accused person has attacked the defacto complainant who was administering the college pursuant to the orders of the High Court. The learned counsel had further submitted that the case of complainant would not fall under Section 33 of BNS. The allegations made by the petitioner have to be investigated and therefore, no grounds have been made out to stall the



investigation.

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6.I have considered the submissions made on either side and perused the material records.

7.A perusal of the complaint clearly reveals that there is a dispute between the brothers (complainant and the accused) with regard to the administration of an aided college and they are litigating before various forums. On 29.12.2025, it is alleged that when the defacto complainant entered the college, the accused is said to have picked up a quarrel and used his hands and attacked the defacto complainant at his stomach. Even as per the complainant, since injuries were very minor, they have not got admitted to the hospital. That apart, though Section 296(b) of BNS has been invoked, the specific obscene words that are said to have been uttered by the accused have not been recorded in the complaint.

8.In such view of the matter, this Court is of the considered opinion that the litigation arising out of dispute touching upon the administration of the college, has resulted in filing of the present complaint. Even assuming that the alleged incident had happened on 29.12.2025, that would squarely fall within Section 33 of BNS. Therefore, no offence could have been made out as against the petitioner.



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9. In view of the above said facts, no useful purpose would be served in directing the police officials to continue with the investigation of the F.I.R. Therefore, the F.I.R in Crime No.4 of 2026 stands quashed and this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

18.03.2026

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
msa

To
1. The Inspector of Police
Pallathur Police Station
Sivagangai District
Crime No.4 of 2026

2. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai



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R.VIJAYAKUMAR, J.

msa

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