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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.06.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

**Crl. OP(MD).No.6450 of 2026
and Crl.MP(MD).No.7000 of 2026**

Balasubramanian

....Petitioner/Sole Accused

Vs

1.The State of Tamil Nadu Rep.by
The Inspector of Police
Pettavaithalai Police Station
Pettavaithalai
Trichy District
In Crime No.130 of 2023

....1st Respondent/Complainant

2.Nalayeeni

....2nd Respondent/Defacto Complainant

Prayer:The Criminal Original Petition filed under Section 528 of BNSS, to call for the entire records pertaining to the F.I.R in Crime No.130 of 2023 on the file of the 1st Respondent Police and quash the same as illegal.

For Petitioner

: Mr.M.Rajaguru

For Respondents

: Mr.J.Vishnu
Government Advocate(Crl.side) for R1



ORDER

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The present petition had been filed by the sole accused in Crime No. 130 of 2023 on the file of the first respondent police seeking to quash the F.I.R wherein he charged with the offence under Section 427 of I.P.C.

2.A perusal of the F.I.R reveals that the petitioner is alleged to have damaged the water pipeline.

3.According to the learned counsel appearing for the petitioner, the petitioner is a practicing Advocate of that locality and even as per the F.I.R, on several occasions, the pipeline has been damaged. According to him, the petitioner has lodged a complaint before the Superintendent of Police, Tiruchirappalli on 17.10.2023 that the pipeline should be restored, otherwise they would do road-roko on 21.10.2023. In such circumstances, the present F.I.R has been registered on 20.10.2023 as if the petitioner himself has damaged the water pipeline.

4. The petitioner also relied upon the communication received from the office of the Superintendent of Police directing him to appear with regard to the complaint lodged by him on 17.10.2023. Therefore, according to him, the Panchayat officials have falsely lodged a complaint as against the petitioner.

5.Heard both sides and perused the material records.

6.A perusal of the F.I.R reveals that the date on which the pipeline has been damaged has not been mentioned at all. The other records clearly reveal



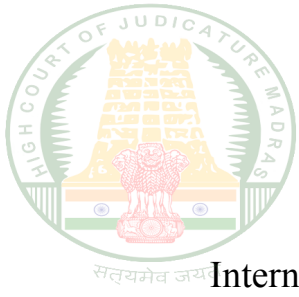
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that on 17.10.2023, the petitioner had lodged a complaint before the police official that he would do the road-roko if the pipeline is not restored. The present F.I.R has been registered on 20.10.2023 as if the petitioner himself has damaged the pipeline. Therefore, it is clear that a false case has been foisted as against the petitioner at the instance of the officials belonging to the local body. Therefore, continuation of criminal proceedings would be an abuse of process of law.

7.The learned counsel appearing for the petitioner submits that though this Court has granted an interim order restraining the police official from filing of the charge sheet on 01.04.2026, in violation of the order of this Court, a charge sheet has been filed and it has been taken on file on 18.04.2026 in S.T.C.No.171 of 2026 before the District Munsif Cum Judicial Magistrate, Srirangam.

8. In view of the above said facts, S.T.C.No.171 of 2026 on the file of the District Munsif Cum Judicial Magistrate, Srirangam arising out of Crime No.130 of 2023 on the file of the first respondent police stands quashed. This Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

05.06.2026.



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Internet : Yes/No
Index : Yes/No
NCC : Yes/No
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To

1. The District Munsif Cum Judicial Magistrate,
Srirangam

2. The Inspector of Police
Pettavaithalai Police Station
Pettavaithalai
Trichy District
In Crime No.130 of 2023

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



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R.VIJAYAKUMAR, J.

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