



Crl.OP(MD).No.8965 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2026

CORAM :

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.8965 of 2026
and
Crl.M.P.(MD).Nos.9507 of 2026

1. Jagaber Sathik @ Jahabar Sadik

2. IQBAL @ MOHAMED IQBAL

...Petitioner/Accused Nos.1 & 2
Vs

1. State Of Tamilnadu Rep By
Inspector Of Police,
Thanjavur Taluk Police Station,
Thanajvur District.
Crime No.357 of 2025.

2. Ramesh

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the entire records connected to FIR in Cr.No.357 of 2025 on the file of the Respondent No.1 and quash the same as illegal as against the Petitioners and pass such further or other orders as this Honourable Court.

For Petitioner : M/s.R.Manibharathi

For Respondent No.1 : Mr.P.Samuel Gunasingh
Counsel for State of TN (crl.side)



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ORDER

The present petition has been filed by Accused Nos. 1 and 2 in Crime No. 357 of 2025 on the file of the first respondent police, seeking to quash the FIR in the said crime, wherein they are alleged to have committed offences punishable under Section 329(3) of the BNS read with Section 3(1) of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992.

2. A perusal of the FIR reveals that certain masked persons had uprooted the boundary stones of the property belonging to one Dr.Baskaran, pursuant to which a complaint was lodged by the owner of the property.

3. According to the learned counsel appearing for the petitioners, they are the owners of the property and they were never involved in the alleged incident.

4. A perusal of the FIR reveals that certain masked persons had uprooted the boundary stones, and the incident was captured on CCTV.



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5. In such circumstances, only an investigation would reveal whether A1 and A2 are involved in the said occurrence or not. Merely on the basis of the averments made in the quash petition, it cannot be concluded that the petitioners are not involved in the alleged offence. The petitioners have not made out a case for quashing the FIR, and there are no merits in the present petition

6. Accordingly, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

01.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
gvn

To:

1. The Judicial Magistrate No.II, Nagercoil,
Kanyakumari District.
- 2.The Inspector Of Police,
Kottar Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

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