



CRL OP(MD). No.12803 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/01/2026

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.12803 of 2024
and
CRL MP(MD)No.7903 of 2024

Keerthana

... Petitioner

Vs

1. The Inspector of Police,
Samayapuram Police Station,
Trichy District.
Crime No. 122/2024.

2. Chandra

... Respondents

PRAYER :-

To call for the records pertaining to the FIR in Crime No. 122 of 2024 on the file of the 1st Respondent police and quash the same as illegal in so far as the petitioner's concerned.

For Petitioner : Mr. Ramnath B-Ms/874/2021,
Advocate.

For Respondents : Mr.M.Sakthi Kumar for R1
Government Advocate (Crl.Side)

Mr.R.Sakthivel for R2



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ORDER

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This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, invoking the inherent jurisdiction of this Court to prevent abuse of process of law and to secure the ends of justice. The petitioner seeks quashment of the First Information Report in Crime No.122 of 2024 on the file of the first respondent Police, insofar as she is concerned.

2. The gravamen of the grievance of the petitioner is that she has been mechanically arrayed as Accused No.3 in the impugned FIR without any specific overt act, role, or attribution, and that the continuation of criminal proceedings against her would amount to an abuse of the criminal justice system.

CASE OF THE PROSECUTION

3. The prosecution case, as disclosed from the First Information Report, is that on 29.04.2024 at about 9.00 p.m., the second respondent / de facto complainant allegedly went to the house of the first accused, namely Masilamani, who is stated to be the father of the petitioner

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herein, for the purpose of returning the money earlier borrowed by her. It is alleged that the first accused demanded exorbitant interest from the de facto complainant and refused to receive the amount returned by her. According to the prosecution, a wordy quarrel ensued, following which all the accused persons allegedly joined together and assaulted the de facto complainant, resulting in serious injuries.

4. Based on the said complaint, the first respondent police registered the FIR in Crime No.122 of 2024 for the offences under Sections 147, 148, 149, 324, 427 and 506(ii) of the Indian Penal Code and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. The petitioner has been arrayed as Accused No.3.

GROUND FOR QUASH

5. The petitioner contends that she has been falsely implicated in the impugned FIR and that no overt act has been attributed to her. It is submitted that a bare reading of the FIR would reveal that the allegations are predominantly directed against other accused persons.



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6. It is the specific case of the petitioner that she was present in the house only in connection with her delivery and had no role whatsoever in the alleged occurrence. The complaint does not disclose any specific act of assault or instigation attributable to the petitioner.

7. The petitioner further submits that her implication is purely based on relationship and proximity, and that the criminal proceedings against her are manifestly attended with mala fides, warranting interference by this Court under its inherent jurisdiction.

ARGUMENTS ON BEHALF OF THE PETITIONER

8. The learned counsel for the petitioner would submit that the continuation of the proceedings against the petitioner would be a clear abuse of process of law, as the essential ingredients of the alleged offences are not made out against her.

9. It is argued that even if the entire contents of the FIR are taken at face value, they do not disclose any prima facie material to proceed



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against the petitioner. The learned counsel would submit that omnibus and vague allegations cannot be the basis for prosecuting an individual.

ARGUMENTS ON BEHALF OF THE RESPONDENT / STATE

10. Per contra, the learned Government Advocate (Criminal) would contend that the FIR discloses a cognizable offence and that the petitioner was present at the scene of occurrence.

11. It is submitted that this is a case involving the demand of exorbitant interest and violent assault on the de facto complainant, in which the family members of the petitioner had actively participated. The learned Government Advocate would further submit that the petitioner had used unparliamentary words during the occurrence and that the investigation is still at a nascent stage.

12. It is therefore contended that the FIR ought not to be quashed at this stage and that the petitioner can very well establish her innocence during the course of investigation or trial.



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POINT FOR CONSIDERATION

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13. The point that arises for consideration is:

Whether the continuation of criminal proceedings against the petitioner / Accused No.3 in Crime No.122 of 2024, in the absence of any specific overt act or prima facie material, would amount to an abuse of process of law warranting interference under Section 482 Cr.P.C.?

ANALYSIS

14. This Court has carefully considered the rival submissions and perused the materials available on record, particularly the First Information Report.

15. A careful reading of the FIR reveals that the core allegations relating to demand of exorbitant interest and physical assault are directed primarily against the first accused and certain other accused persons. The FIR does not attribute any specific overt act of assault or instigation to the petitioner herein.



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16. Mere presence at the scene of occurrence, without any specific role being assigned, is not sufficient to fasten criminal liability, particularly in the absence of material indicating common intention or unlawful assembly with a defined role.

17. The Supreme Court has repeatedly held that criminal proceedings cannot be permitted to degenerate into instruments of harassment, and that the inherent powers of the High Court must be exercised to prevent abuse of process of law where the allegations do not disclose the commission of any offence.

18. In the present case, the allegations against the petitioner are vague, omnibus, and devoid of particulars. Continuation of the proceedings against her would serve no useful purpose and would result in miscarriage of justice.

19. In view of the foregoing discussion and having regard to the settled principles governing the exercise of inherent powers under Section 482 Cr.P.C., this Court finds that the continuation of criminal



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proceedings against the petitioner would amount to an abuse of process of law and would defeat the ends of justice.

20. This Court is therefore of the considered view that the impugned FIR, insofar as the petitioner is concerned, deserves to be quashed.

21. Accordingly, this Criminal Original Petition is allowed, and the First Information Report in Crime No.122 of 2024 on the file of the first respondent police is quashed insofar as the petitioner alone is concerned. Consequently, the connected miscellaneous petition is closed.

08.01.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

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1. The Inspector of Police, Samayapuram Police Station,
Trichy District. Crime No. 122/2024.

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



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L.VICTORIA GOWRI, J

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