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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD) No. 15705 of 2026

CNR:{HCMD011028642026}

Case QR

&

CRL MP(MD) No. 15213 of 2026

1. Alagiri @ Azhagarsamy
2. Palani
3. Muthu
4. Mani

..Petitioner(s)

Vs

1. The State of Tamilnadu, rep by,
   The Sub Inspector of Police,
   Bodinayakkanur Rural Police Station,
   Theni District.
   (Crime No.20 of 2024)
2. A.Rajan

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records relating to the Impugned F.I.R in Crime No.20 of 2024 on the file of the 1st respondent and quash the same.

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For Petitioner(s) : Mr. N.Marimuthu.

For R1 : Mr.V.Shathurthi Raja,
Government Advocate (Crl. Side)

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ORDER

The present petition has been filed by A1, A3 to A5 in Crime No.20 of 2024, on the file of the first respondent police seeking to quash the FIR wherein the petitioners were charged with the offences under Sections 406, 147, 148, 294(b) and 506(ii) of IPC.

2. A perusal of the FIR reveals that the petitioners herein are the trustees of a private temple and the de-facto complainant is the poojari of the said temple. As per the allegations in the FIR, the temple had received 11 sovereigns of gold jewels as a gift from the villagers, and the same were pledged by the petitioners in their own names. Even though the petitioners had agreed to return the jewels, they had not done so. On 22.01.2024, the petitioners herein are alleged to have entered the premises of the de-facto complainant, abused him and threatened him.

3. According to the learned counsel appearing for the petitioners, at the time of disposal of the anticipatory bail application in Crl.O.P.(MD)

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No.1120 of 2024, this Court, by an order dated 29.01.2024, had directed that a bank locker be opened jointly in the names of A1 and the de-facto complainant and that the jewels belonging to the temple be kept in the said locker.

4. The learned counsel submits that the petitioners had issued a notice to the de-facto complainant for compliance with the said order. Thereafter, an agreement was entered into between the parties on 29.02.2024, wherein it was recorded that all the jewels had been recovered and kept in a locker opened jointly in the names of the first petitioner and the de-facto complainant at the Indian Overseas Bank, Bodinayakkanur Branch. It could further be seen from the said agreement that the keys of the locker are retained by the de-facto complainant. Therefore, it is clear that, as on date, all the jewels have been recovered and kept in the locker at the Indian Overseas Bank, Bodinayakkanur Branch, and the keys are retained by the de-facto complainant.

5. As far as the other allegations against the petitioners herein are concerned, they relate to abuse and threat.

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6. Notice was served on the de-facto complainant on 22.09.2026. Even though his name is printed in the cause list, there is no representation either in person or through counsel. Therefore, this Court proceeds to pass orders on merits based on the submissions made by the learned counsel appearing for the petitioners.

7. The learned counsel appearing for the first respondent submitted that the complaint came to be lodged since the temple jewels had been pledged by the petitioners in their own names. He further submitted that the second respondent had alleged abuse and threat.

8. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the first respondent.

9. As far as the jewels are concerned, they have now been recovered and kept in the joint custody of A1 and the de-facto complainant in a bank locker. The keys of the bank locker are admittedly retained by the de-facto complainant. As far as the other allegations relating to abuse and criminal intimidation are concerned, they are only

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pursuant to the non-return of the jewels. Therefore, this Court does not find any reason to continue the criminal proceedings.

10. Considering the above facts, the FIR in Crime No.20 of 2024, on the file of the first respondent police, is hereby quashed.

11. Accordingly, this Criminal Original Petition stands allowed. Consequently connected miscellaneous petition stands closed.

02-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To:-

1. The Sub Inspector of Police,
   Bodinayakkanur Rural Police Station,
   Theni District.

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

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R.VIJAYAKUMAR J.

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