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CrI.O.P.No.4885 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.04.2026

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.4885 of 2026

1.S.Gokulakannan  
2.S.Ramesh  
3.S.Aadhi @ S.Adhimoolam ... Petitioners

Vs.

1.State rep. by  
The Inspector of Police,  
V-3 J.J.Nagar Police Station,  
Chennai.  
(Crime No.116 of 2023).

2.Sivam ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the  
Charge Sheet culminated in C.C.No.471 of 2024 on the file of the learned  
Judicial Magistrate, Ambattur and quash the same.

For Petitioner : Mr.K.Kannan  
For R1 : Mr.Leonard Arul Joseph Selvam  
Additional Public Prosecutor



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## ORDER

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The petitioners/accused in C.C.No.471 of 2024 facing trial for the offence under Sections 341, 427, 294(b), 323, 506(i) IPC r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act, filed this quash petition.

2.The brief facts of the case is that the second respondent/defacto complainant on 25.04.2023 at about 7.45 p.m. along with his wife and children was going out to celebrate his children birthday and took his car out from the house and parked it in front of his gate, waiting for his children to get into the car, at that time, the petitioners came in a White colour Swift car, the first petitioner banged the bonnet of the defacto complainant's car claimed he is an Advocate, wanted to go and shouted at defacto complainant to move his car and broke the wind screen of the defacto complainant's car and caused damage. The second petitioner pulled the defacto complainant by his shirt, punched him on his nose and also abused and threatened the defacto complainant's wife. The third petitioner threatened the defacto complainant, pushed him down and kicked him. The defacto complainant got injured, defacto complainant's wife took him to SKS Hospital where Dr.Selvakumar found contusion over the nose on both sides, contusion on



right knee and also some bleedings, recorded the same in the Accident

Register and gave treatment. Thereafter, complaint lodged to the first respondent Police, who registered FIR in Crime No.116 of 2023 on 08.05.2023. On completion of investigation, charge sheet filed before the jurisdictional Magistrate on 20.09.2024 listing nine witnesses and producing documents, taken on file in C.C.No.471 of 2024.

3.The contention of the learned counsel for the petitioners is that since the defacto complainant parked his car in the middle of the road blocking the movement of petitioners' car, they got down from the car and requested the defacto complainant to move aside his car. The defacto complainant used abusive words and also threatened the petitioners, there was exchange of heated words and there was push and pull, in which, the defacto complainant fell down and sustained some injuries, which was later projected as though the petitioners assaulted the defacto complainant. Now petitioners approached the defacto complainant, expressed sorry for the brashness, the defacto complainant accepted the reason and issue got resolved and a compromise arrived between the petitioners and the defacto complainant. The defacto complainant informed the respondent police that he is not



interested in continuing with the case. The petitioners filed individual affidavits and a joint compromise memo filed by the petitioners and the defacto complainant.

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4.The learned Additional Public Prosecutor submitted that the first petitioner is an Advocate and the second and third petitioners are his friends, all three were are travelling in a car. The defacto complainant parked his car in front of his gate and was waiting for his children to get into the car, they were going out to celebrate his children birthday in a Restaurant. Though sufficient space available for movement of other cars but the first petitioner being an Advocate wanted to show off his might, forcibly banged the bonnet of defacto complainant's car, which was questioned by the defacto complainant and thereafter petitioner, namely, second and third petitioners assaulted and pushed the defacto complainant down and caused injuries. Immediately defacto complainant was taken to the Hospital by his wife and Dr.Selvakumar treated the defacto complainant and issued Accident Register confirming the injuries. Initially, CSR assigned and later FIR registered. During investigation, statement of witnesses including the Doctor and the mechanic who replaced the wind shield of the defacto complainant's car



recorded. On conclusion of investigation, charge sheet filed listing witnesses and documents. He further submitted that now the defacto complainant informed the respondent police that issue resolved and compromise arrived between them and he is not inclined to proceed with the case.

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5.Today, the petitioners and the second respondent/defacto complainant present before this Court confirming the compromise arrived between them. Their identity confirmed by the respondent police. It is seen that there was a wordy quarrel between the petitioners and the second respondent/defacto complainant with regard to parking of the car and blocking the way there was a wordy quarrel followed by push and pull. Now the issue resolved between them and the defacto complainant is not willing to proceed with the case and agrees to compound the case.

6.Considering the submissions made, it is seen that the issue arose in a spur of moment without any premeditation, a wordy quarrel ensued into push and pull, now the issue has been amicably settled between petitioners and defacto complainant.



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7. Accordingly, the Criminal Original Petition stands allowed and as a sequel, the case in C.C.No.471 of 2024 on the file of the Judicial Magistrate, Ambattur is quashed against the petitioners.

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



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To

- 1.The Judicial Magistrate,  
Ambattur.
- 2.The Inspector of Police,  
V-3 J.J.Nagar Police Station,  
Chennai.
- 3.The Public Prosecutor,  
High Court, Madras.



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M.NIRMAL KUMAR, J.

*cse*

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