



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 16527 of 2026

and

Crl.M.P.No.10904 of 2026

1. Harsh Nambiar
S/o. Mr. Rajesh Babu C.K.
A-Block 209, Aban Essence,
VGP Layout, Kudlu,
Bangalore-560068.
2. Mr. Rajesh Babu C.K.
S/o. Balakrishnan Nambiar I P
A-Block 209, Aban Essence,
VGP Layout, Kudlu,
Bangalore-560068.

..Petitioner(s)

Vs

1. The State Through the Inspector of Police
B-7, Vikravandi Police Station,
Vikravandi, Villupuram,
Tamilnadu 605 652.
2. Mr. Ramasamy
S/o. Mr. Kanniyappan,
Door No.6, Veedur Dam Post,
Atthikuppam,
Thindivanam Taluk,
Villupuram.

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records pertaining to the impugned First Information Report in Crime No.0139 of 2026 dated 11-4-2026 on the file of the Inspector of Police, B-7, Vikravandi Police Station, quash the same.



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For Petitioner(s):

Mr.K.M.Mrithun Jayan

For Respondent(s):

Mr.R.Rajasekaran

Government Advocate (Criminal Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.0139 of 2026.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent. The materials available on record were also perused.

3. The gravamen of the allegations contained in the FIR is that, on 05.04.2026, the injured witness, Shanmugaveli, was travelling in a Scooty Zest 100 bearing Registration No. TN 16 L 3918. It is alleged that the petitioner, while riding a Royal Enfield Himalayan motorcycle bearing Registration No. KL 58 AF 3503, drove the vehicle at a high speed and in a rash and negligent manner and dashed against the Scooty, thereby causing grievous injuries to the injured witness. Based on the said allegations, the present FIR came to be registered.

4. The learned counsel for the petitioner submitted that the petitioner, who was riding the Royal Enfield motorcycle, had in fact sustained more



grievous injuries in the accident and that the accident occurred due to the fault of the rider of the other vehicle. According to the learned counsel, the respondent police have registered the case without even recording the petitioner's version of the occurrence.

5. This Court has considered the submissions made on either side. When two vehicles are involved in a road accident, the mere fact that one of the vehicles is shown as the offending vehicle in the FIR is not conclusive. It is for the Investigating Officer to conduct a fair and impartial investigation, collect the relevant materials, record the statements of all concerned witnesses, including the petitioner, and thereafter arrive at an independent conclusion regarding the manner in which the accident occurred.

6. In view of the above, the respondent police are directed to record the statement of the petitioner and duly consider his version of the occurrence. The Investigating Officer shall objectively evaluate the entire evidence collected during the course of investigation and thereafter proceed in accordance with law by filing the appropriate final report against the person found responsible for the accident.

7. In the light of the above observations, this Court is not inclined to quash the FIR at this stage. Accordingly, the Criminal Original Petition stands



disposed of with the above directions. The investigation shall be completed as expeditiously as possible, in any event, within a period of three (3) months from the date of receipt of a web copy of this order. Consequently, connected miscellaneous petition is closed.

01-07-2026

Neutral Citation: Yes/No

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To

1. The Inspector of Police
B-7, Vikaravandi Police Station,
Vidravandi, Villupuram,
Tamilnadu 605 652.

2. The Public Prosecutor,
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

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