



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17081 of 2026

and

CrI.MP.No.11361 of 2026

Vetri
S/o. Periyasamy,
D.No.1/115, Mariyamman Kovil Street,
Valayapatti, Mohanur Taluk,
Namakkal District.

Presently residing at,
Singapore at 9,
Tagore Land,
01-189@Tagore,
Singapore-787472

..Petitioner(s)

Vs

1. The State Rep. By
The Inspector of Police,
Mohanur Police Station,
Namakkal District.
2. Muthu
S/o. Muthuraj,
No.1/132-Rajaveethi, Muthuraja Street,
Valayappatti Post, Mohanur Taluk,
Namakkal District. Crime No.131 of 2025

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS, to call for the records pertaining to crime No.131 of 2025 on the file of the 1st respondent and quash the same as illegal, incompetent and abuse of process by allowing the present Criminal Original Petition and thus render justice.



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For Petitioner(s):

Mr.K.Sankar Vignesh

For Respondent(s):

Mr.R.Rajasekaran

Counsel for Government of Tamil Nadu
(Crl.Side) For R1

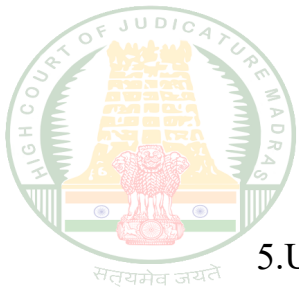
ORDER

The criminal original petition is filed to quash the first information report in Crime No.131 of 2025.

2.I have heard the learned counsel for the petitioner and the learned counsel for Government of Tamil Nadu (Crl.Side) for the first respondent.

3.The gist of the allegations contained in the FIR is that all the accused persons were indulged in digging a pit for laying a fence, when the defacto complainant merely questioned them as to how can they lay the fence in the common pathway, all these accused are said to have attacked him.

4.The learned counsel for the petitioner would submit that as far as the petitioner Vetri is concerned, he was not even present in the place. There is also video that was recorded during the entire occurrence in spite of placing the said video during the preliminary enquiry. The police still proceeded to include the name of the petitioner also in the FIR. Already a civil case is also pending between the parties.



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5. Upon considering the said submissions, it can be seen that when the occurrence had taken place and the allegations are made, the FIR is registered. It is now settled that at the time of registering of the FIR itself, the Investigating Officer cannot pronounce upon the truth or otherwise of the allegations. The video, if any, submitted by the petitioner shall also be taken into consideration during the course of investigation. These are factual issues which are raised which this Court at this stage itself cannot hold as incontrovertible and quash the FIR. Leaving open the liberty of the petitioner to place such materials before the first respondent if so chooses and keeping is liberty open to agitate after the final report is filed, if any, the prayer as such cannot be countenanced and accordingly, the criminal original petition stands disposed of. Consequently, connected miscellaneous petition is closed.

03-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms
To
1. The Inspector of Police,
Mohanur Police Station,
Namakkal District.
2. The Public Prosecutor
High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

sms

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