



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17702 of 2026

and

CRL.MP.No.11805 of 2026

S.Rajasekar
S/o Sukumar,
Residing at No.28B, Perumal Kovil Street,
Hasthampatti, Salem.

..Petitioner(s)

Vs

1. The State Rep By, The Inspector of Police
Gobichettipalayam Police Station,
Erode.

2. S.Monisha
W/o Suresh,
NO.4/325/4, Rohini Garden,
Kalingarayanpalayam,
Bhavani Taluk, Erode.

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to call for the records in Crime
No.171 of 2026 on the file of the 1st respondent police, and to quash the same as
illegal and without jurisdiction, and thereby render justice.

For Petitioner(s): MA.P.Thangavel

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Criminal Side) for R1



ORDER

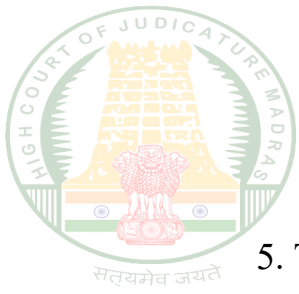
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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.171 of 2026 on the file of the first respondent police.

2. The case has been registered for the offences under Sections 296(b), 115(2), 351 (2) of BNS, 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women (Amendment) Act, 2002.

3. The learned Counsel for the petitioner would submit that the petitioner is the brother-in-law of the de facto complainant and that, when disputes arose between the husband and wife, the petitioner merely attempted to pacify them. It is further submitted that, solely because the petitioner is a Government servant working as a Village Administrative Officer, he has been falsely implicated in the present case. The learned counsel would also contend that there are no specific allegations against the husband and that the falsity of the complaint is apparent on the face of the record.

4. When the matter was taken up for hearing, The learned Government Advocate (Criminal Side) submitted that the investigation is at an advanced stage and that the final report would be filed shortly.



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5. The submissions made on behalf of the petitioner are essentially factual in nature. Such contentions are matters to be considered during the course of investigation. If a final report is filed against the petitioner without any material to substantiate the allegations, it is always open to the petitioner to work out his remedies in the manner known to law.

6. At this stage, this Court is not inclined to quash the First Information Report solely on the basis of the factual assertions made by the petitioner, as the same cannot be treated as incontrovertible. Therefore, keeping open the liberty of the petitioner to avail the remedies available under law, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

09-07-2026

Neutral Citation: Yes/No

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To

1. The Inspector of Police
Gobichettipalayam Police Station,
Erode.
2. The Public Prosecutor,
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

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