



Crl.O.P.No.2214 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.2214 of 2025

and

Crl.M.P.No.1389 of 2025

1. G.Saravanan

2. Bharathi

... Petitioners

Vs

1. The Inspector of Police,
B2, R.S.Puram Police Station,
Coimbatore.

2. Abinaya Agarwal

... Respondents

PRAYER:

Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to F.I.R in Crime No.381 of 2024 dated 17.11.2024 on the file of the first respondent police and quash the same.

For Petitioners : Mr.P.Ayyachamy

For R1 : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER



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This Criminal Original Petition has been filed to call for the records pertaining to F.I.R in Crime No.381 of 2024 dated 17.11.2024 on the file of the first respondent police and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent-Police and perused the materials available on record.

3. Learned counsel for the petitioner submitted that he is a tenant under the second respondent/defacto complainant. Suppressing the fact that the petitioner has got permanent injunction in the proceedings RLTOP No.13 of 2023 on the file of the Rent Control Authority cum District Munsif, Coimbatore, the second respondent/defacto complainant filed a complaint against the petitioner, before the respondent-Police for the offence under Sections 296(b), 351(3) BNS and 4 of TNPHW Act, in order to evict him with the help of the respondent-police. He further submitted that the dispute between the parties is civil in nature and for the civil dispute, the respondents have given criminal colour. Hence, he



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prayed to quash the F.I.R in Crime No.381 of 2024 dated 17.11.2024 on the file of the first respondent police.

4. On a perusal of the records, it is found that there are prima facie allegations made out against the petitioner. The investigation only reveals the commission of offence as to whether the dispute between the parties is civil in nature or the accused harassed the defacto complainant. This Court is not inclined to quash the F.I.R. However, the respondent-Police is directed to investigate the case in Crime No.381 of 2024 and file a charge sheet within a reasonable time.

5. With the abovesaid direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

29.01.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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WEB COPY **To**

1. The Inspector of Police,
B2, R.S.Puram Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court, Chennai.



WEB COPY



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P.VELMURUGAN, J.

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