



Crl.O.P.No.1468 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.1468 of 2025

and

Crl.M.P.No.888 of 2025

Vetrivel

... Petitioner

Vs

1. The Commissioner of Police,
EVK Sampath Road, Periamet,
Vepery, Chennai – 600 007.

2. The Inspector of Police,
J-13 Taramani Police Station,
Nehru Street, Taramani,
Chennai – 113.

3. R.Manimegalai

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in Crime No.293 of 2024 on the file of the Inspector of Police, J-13, Taramani Police Station and to quash the same.

For Petitioner : Mr.C.Arunkumar
for Mr.S.Thiruvengadam

For R1 & R2 : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

For R3 : Mr.A.Rajapandian



Crl.O.P.No.1468 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.293 of 2024 on the file of the second respondent police and to quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the official respondents and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the dispute between the parties is civil in nature. The date, time and venue of the occurrence mentioned in the F.I.R are false. Since the petitioner was assaulted by the complainant and his henchmen at the office premises and he was admitted in the hospital and has taken treatment at that relevant point of time. The respondent police has registered a false case against the petitioner by giving criminal colour to the civil dispute.



Crl.O.P.No.1468 of 2025

WEB COPY

4. The learned counsel for the petitioner has also placed reliance on the judgment of the Hon'ble Supreme Court reported in 2023 (11) SCC 182 [*B.Venkaeswaran and others Vs. P.Bakthavatchalam*]

5. On a reading of the F.I.R, it is seen that prima facie materials are available as against the petitioner. On completion of investigation, the final report only reveals as to whether the de-facto complainant has lodged a false complaint or not and as to whether the petitioner humiliated the caste of the de-facto complainant or not. Mere pending of civil dispute between the parties is not the ground to quash the F.I.R which has registered for the offence under the Special Act.

6. The citation referred by the learned counsel for the petitioner is distinguishable from the present case on hand.

7. In view of the same, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed. However, the respondents-Police is directed to complete the



Crl.O.P.No.1468 of 2025

WEB COPY

investigation within a period of two months from the date of receipt of a copy of this order. The petitioner is at liberty to workout his remedy in the manner know to law, after filing of charge sheet.

29.01.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Commissioner of Police,
EVK Sampath Road, Periamet,
Vepery, Chennai – 600 007.
2. The Inspector of Police,
J-13 Taramani Police Station,
Nehru Street, Taramani,
Chennai – 113.
3. The Public Prosecutor,
High Court, Chennai.



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Crl.O.P.No.1468 of 2025

P.VELMURUGAN, J.

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Crl.O.P.No.1468 of 2025
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