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CrI.O.P.No.33757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.33757 of 2025
and
CrI.M.P.No.23609 of 2025

V.Praveen

... Petitioner

Vs.

1. State of Tamil Nadu,
Represented by,
The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore District.

2. Manikandan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records relating to the First Information Report in Crime No.558 of 2023 dated 19.12.2023, on the file of the first respondent and quash the same as against the petitioner.

For Petitioner : Ms.A.Devaki

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.558 of 2023, registered on the file of the first respondent police for the offences under Sections 147, 348, 323 and 506(ii) of IPC.

2. The brief facts of the case are that on suspecting that the second respondent/*de facto* complainant had committed theft of the petitioner's jewels, the petitioner, along with other accused, kept the *de facto* complainant in illegal confinement for two days, assaulted him and intimidated him. Based on the complaint given by the *de facto* complainant, the aforesaid case in Crime No.558 of 2023 came to be registered.

3. Learned counsel appearing for the petitioner submitted that the fact remains is that the second respondent/*de facto* complainant had stolen the petitioner's jewels and that when it was questioned by the petitioner, a false complaint was lodged alleging that wrongful confinement and assault were made by the petitioner and others. She further submitted that the complaint is only a motivated one and therefore, she prayed to quash the First Information Report pending against the petitioner.



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4. *Per contra*, the learned Government Advocate (Criminal Side) submitted that the accused had kept the *de facto* complainant in illegal confinement in a room for two days, assaulted him and intimidated him, as a result of which the victim sustained injuries and underwent treatment in a hospital. He further submitted that the case was registered only based on the complaint given by the victim/de facto complainant and that the investigation is at the verge of completion and the final report will be filed at the earliest. He also submitted that there are materials to show that the second respondent/victim was subjected to illegal confinement.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record and taking note of the facts and circumstances of the case, this Court is of the opinion that the grounds raised by the learned counsel for the petitioner are factual in nature which cannot be adjudicated in a petition filed under Section 482 Cr.P.C./ Section 528 BNSS. Therefore, this Court is not inclined to interdict the investigation at this stage.

6. Accordingly, this Criminal Original Petition stands dismissed.

Consequently, the connected miscellaneous petition is also closed. However,
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the first respondent is directed to complete the investigation in Crime No.558 of 2023 and file the final report before the jurisdictional court within a period of three months from the date of receipt of a copy of this order.

17.12.2025

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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