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Crl.O.P.Nos.14280 of 2025 & 12734 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.06.2025

Coram:

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

Crl.O.P.Nos.14280 of 2025 & 12734 of 2025

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Kavinkumar

.. Petitioner in both Crl.O.Ps.

Vs.

The State of Tamil Nadu,
Rep. by Special Sub Inspector of Police,
Nungambakkam Police Station,
Nungambakkam,
Chennai - 600 034.

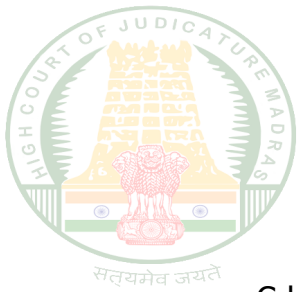
.. Respondent in both Crl.O.Ps.

Prayer in Crl.O.P.No.14280 of 2025: Criminal Original Petition filed under Section 528 of BNSS, to call for the records in FIR No.485 of 2024, on the file of the respondent Police.

Prayer in Crl.O.P.No.12734 of 2025: Criminal Original Petition filed under Section 528 of BNSS, to set aside and remove the FIR status as disclosed in the online portal in FIR No.485 of 2024, on the file of the respondent Police and conviction order dated 20.11.2024.

For petitioner in both
Crl.O.Ps. : Mr.R.Rajarajan

For respondent in both
Crl.O.Ps : Dr.C.E.Pratap
Government Advocate (Criminal Side)



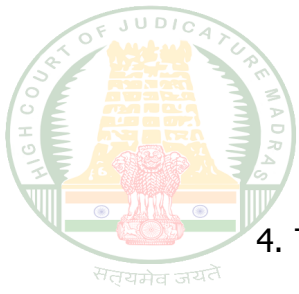
Crl.O.P.Nos.14280 of 2025 & 12734 of 2025

COMMON ORDER

Crl.O.P.No.12734 of 2025 has been filed under Section 528 of the BNSS, seeking to set aside and remove the FIR status as reflected in the online portal in FIR No.485 of 2024 on the file of the respondent police, as well as to set aside the consequential conviction order dated 20.11.2024. Crl.O.P.No.14280 of 2025 has been filed seeking to call for the records pertaining to FIR No.485 of 2024, which forms the basis of the conviction challenged in the former petition.

2. Since both the Criminal Original Petitions are interlinked, they are taken up together and disposed of by this common order.

3. The case of the petitioner is that on the alleged date of occurrence, while he was returning to his room at midnight from his relative's residence at Nungambakkam, he was intercepted by the respondent police and a false case was foisted against him under Section 75 of the Tamil Nadu Police Act. The petitioner asserts that he neither admitted his guilt nor paid any fine amount. On the contrary, right from the beginning, he consistently objected to and protested the registration of the false FIR against him. However, to his shock and surprise, upon verifying the online status of the FIR in Crime No.485 of 2024, it was reflected on the online portal that he had been convicted and that a fine of Rs.100 had allegedly been paid by him.



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4. The learned Government Advocate (Criminal Side) submitted that after the petitioner was detained and his Aadhar particulars were collected, he was produced before the learned XIV Metropolitan Magistrate, Egmore, Chennai. It is contended that the petitioner, along with other accused persons, pleaded guilty before the learned Magistrate and the fine amount was paid accordingly.

5. In order to ascertain the veracity of the petitioner's claim that he did not plead guilty or pay any fine, this Court, by order dated 03.06.2025, directed the Registry to obtain a report from the learned Magistrate. In response, the learned Magistrate, by letter dated 12.06.2025, reported that a group of accused persons were produced by the police officials, and each accused was called by name, identified themselves by raising their hands, pleaded guilty, and paid the fine amount after the sentence was imposed.

6. In view of the categorical report submitted by the learned Magistrate and in the absence of any convincing material to disbelieve the same, this Court finds no ground to interfere with the conviction recorded or to direct removal of the FIR status from the online portal.

7. Accordingly, both the Criminal Original Petitions are dismissed.

17.06.2025

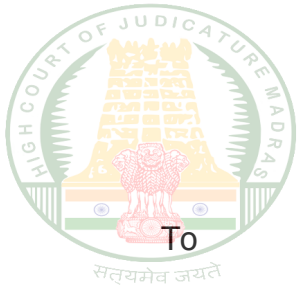
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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Special Sub Inspector of Police,
Nungambakkam Police Station,
Nungambakkam,
Chennai - 600 034
2. The Public Prosecutor, Madras High Court, Chennai.



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P.VELMURUGAN, J

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