



WEB COPY



Crl.O.P.No.13086 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.13086 of 2025

and

Crl.M.P.No.8667 of 2025

1. Reni Jameslin
  2. Ponnaiyan
- ... Petitioners

Vs.

1. State rep.by  
The Inspector of Police,  
N-2, Kasimedu Police Station,  
Chennai,  
Crime No.472 of 2024.
  2. Babu Maillan
- ... Respondents

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to quash the F.I.R pending investigation in N-2, Kasimedu P.S. Crime No.472 of 2024 on the file of the 1<sup>st</sup> respondent Police.

For Petitioners : Mr.P.Prince Premkumar  
For Respondents : Dr.C.E.Pratap  
Government Advocate (Crl.Side)  
for R1  
R2 – Notice returned unserved  
Proof of Service not filed



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## **ORDER**

**WEB COPY** This Criminal Original Petition is filed to quash the F.I.R in Crime No.472 of 2024 on the file of the 1<sup>st</sup> respondent Police.

2. The case of the prosecution is that the petitioners had threatened the *de-facto* complainant/second respondent herein with dire consequences by using filthy language and that he lodged a complaint against the petitioners on 07.08.2024. Subsequently, the first respondent-Police registered a case in Crime No.472 of 2024 against the petitioners for the alleged offences punishable under Sections 296(b), 115(2) and 351(3) of the Bharatiya Nyaya Sanhita (BNS) 2023.

3. According to the petitioner, there was a property dispute pending between the first petitioner and his sisters namely Jesilin and Rosilin with regard to the worship of Church, namely Faith Assembly Spiritual Church. With regard to the said dispute, the *de-facto* complainant had conducted a Panchayat between the first petitioner and his sisters, however, the first petitioner had obtained Police protection to conduct the Church worships. While that being so, the *de-facto*

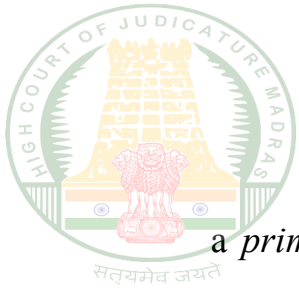


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complainant and three others had trespassed into the Church premises, threatened and assaulted the first petitioner and that the first petitioner lodged a complaint in Crime No.178 of 2023 against the *de-facto* complainant for the offence punishable under Section 506(i) IPC and now, as a counter blast, a false complaint has been registered against the petitioners in Crime No.472 of 2024 against the petitioners for the alleged offences punishable under Sections 296(b), 115(2) and 351(3) of the BNS, 2023. It is further submitted that a civil suit in O.S.No.6924 of 2023 on the file of the VIII Assistant City Civil Court, Chennai, is also pending between the petitioners and the *de-facto* complainant. As per the prosecution, the said occurrence had taken place on 22.04.2024, however, the complaint was lodged against the petitioners only 07.08.2024, with a delay of four months.

4. Despite having been ordered notice to the second respondent/*de-facto* complainant by this Court, notice remained unserved on him, and Proof of Service has also not yet been filed.

5. On a perusal of the entire records, this Court is of the view that



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a *prima facie* case is made out against the petitioners and the grounds taken by the petitioners i.e., delay in filing the complaint is a matter for trial and the same can be decided only after trial and the innocence of the petitioner herein can be ascertained only after completion of investigation and not at this stage. Hence, this Court is not inclined to entertain this petition by invoking Section 528 of the BNSS Act, 2023.

6. Accordingly, the Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

**19.06.2025**

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Inspector of Police,  
N-2, Kasimedu Police Station,  
Chennai.
2. The Public Prosecutor,  
High Court, Madras.



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**P.VELMURUGAN, J**

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