



CrI.O.P.No.14172 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.14172 of 2025 and
CrI.M.P.No.9606 of 2025

R.Prasanth

... Petitioner

Vs.

1. The State

Rep. by Inspector of Police
G1, Maduranthakam Police Station
Maduranthakam,
Chengalpattu District - 603306

2. P.Manoharan

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for records in FIR No.02 of 2025 on the file of Inspector of Police, G1, Maduranthakam Police Station, Maduranthakam, Chengalpattu District, Tamil Nadu - 603306 and quash the same as against the petitioner.

For Petitioner

: Mr.C.Iyyapparaj
for Mr.P.Arun Kumar

For 1st Respondent

: Mr.S.Vinoth Kumar
Government Advocate (CrI. Side)



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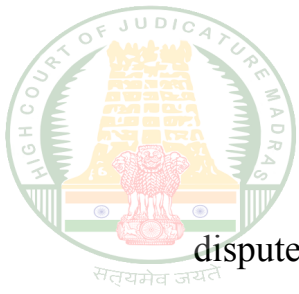
ORDER

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This Criminal Original Petition has been filed by the petitioner to quash the FIR No.02 of 2025 on the file of the first respondent police, insofar as the petitioner is concerned.

2. The case of the prosecution is that the defacto complainant's son married one Ponmozhi, who is the sister of the petitioner herein on 23.06.2022 and through the wedlock, they have got a girl child. Subsequently, due to difference of opinion, they are living separately and matrimonial O.P. is pending before the Family Court. While so, on 01.01.2025 at about 8.00 p.m., the said Ponmozhi along with the petitioner and others, trespassed into the house of the defacto complainant and attacked his son with hands and iron rod. Hence, based on the complaint given by the defacto complainant, the FIR in Crime No.02 of 2025 was registered against the petitioner and others for the offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023.

3. The learned counsel for the petitioner submitted that due to family



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dispute, a false case has been foisted against the petitioner and that the

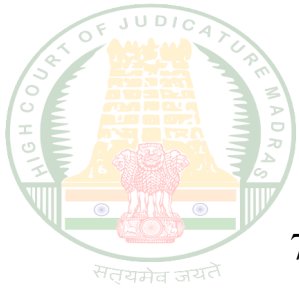
petitioner is no way connected with the alleged offence. Even at the time of alleged occurrence, the petitioner was not at all present in the said place.

Further, based on the complaint given by the petitioner's sister Ponmozhi, a case has been registered against the defacto complainant's son in Crime No.12 of 2025. Hence, he prayed to quash the FIR as against the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) appearing for the first respondent police and perused the materials available on record.

5. Since no adverse order is being passed against the second respondent, notice to the second respondent is dispensed with.

6. The petitioner has taken the defence of alibi which can be taken during the trial. This Court cannot conduct a roving enquiry and the merits of the case cannot be decided at this stage.



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7. A perusal of the complaint and the contents in the FIR shows that

there are prima facie allegations against the petitioner. Therefore, this Court is not inclined to quash the FIR.

8. Accordingly, this Criminal Original Petition is dismissed at the admission stage itself. Consequently, the connected Miscellaneous Petition is closed.

03.06.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The Inspector of Police
G1, Maduranthakam Police Station
Maduranthakam,
Chengalpattu District - 603306
2. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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