



Crl.O.P.No.18979 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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CORAM
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.18979 of 2025

Santhosh

Rep. by his father, Thulsiyappa

S/o. Thulsiyappa

... Petitioner

Vs.

1. State by

The Inspector of Police

Uddanapalli Police Station

Krishnagiri-635 119

(Crime No.81 of 2025)

2. Manoj Kumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records and quash the FIR in Crime No.81 of 2025 pending on the file of the Uddanapalli Police Station, Krishnagiri.

For Petitioner

: Mr.D.Ashok Kumar

For First Respondent

: Dr.C.E.Pratap

Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed by the petitioner to quash the FIR in Crime No.81 of 2025 dated 06.05.2025 pending on the file of the first respondent police, insofar as the petitioner is concerned.



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2. The case of the petitioner is that based on the complaint lodged

by the second respondent alleging that on 05.05.2025, the petitioner along with other accused abused and assaulted the defacto complainant and his friend, the first respondent police registered the FIR in Crime No.81 of 2025 against the petitioner and others for the offences under Sections 189(2), 296(b), 115(2) and 118(1) of BNS. Hence, the present petition is filed to quash the FIR as against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is a minor and aged 16 years. The petitioner has not committed any offence as alleged by the prosecution and that a false case has been foisted against him. Earlier, the petitioner's party had lodged a complaint against the defacto complainant's party based on which, a case was also registered against the opposite party in Crime No.80 of 2025. Therefore, in order to take vengeance, a false case has been foisted against the petitioner. In fact, the defacto complainant is the real aggressor in this case. Therefore, the FIR is liable to be quashed against the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the first respondent submitted that there is a specific allegation and specific overt-act against the petitioner and that the investigation is in progress.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent and also perused the materials available on record.

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

7. A reading of the FIR shows prima facie allegations against the petitioner and that the investigation only would reveal the truth as to whether the petitioner is also involved in this offence or not. Therefore, this Court is not inclined to entertain this petition.

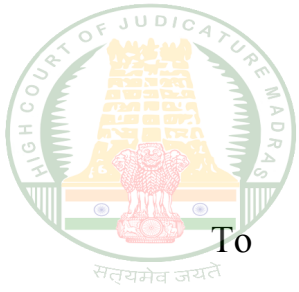
8. Accordingly, this Criminal Original Petition is dismissed.

9. The respondent police is directed to complete the investigation and file the charge sheet in accordance with law.

10. Further, if it is confirmed that the petitioner is a juvenile, the respondent police is directed to follow the procedures as contemplated under the Juvenile Justice (Care and Protection of Children) Act.

09.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

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1. The Inspector of Police
Uddanapalli Police Station
Krishnagiri-635 119
2. The Public Prosecutor
High Court of Madras, Chennai



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P.VELMURUGAN, J

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