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CrI.O.P.No.17451 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.06.2025

Coram:

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

CrI.O.P.No.17451 of 2025

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M.Parthiban

.. Petitioner

Vs.

1.The Inspector of Police,
G-7, Chetpet Police Station,
Chennai - 600 031.

2.Malliga

.. Respondents

Criminal Original Petition filed under Section 528 of BNSS, to call for the records in connection with Crime No.190 of 2023, dated 15.11.2023 on the file of G-7, Chetpet Police Station, Chennai and quash the same.

For petitioner : Ms.S.Sujatha

For respondents: Dr.C.E.Pratap

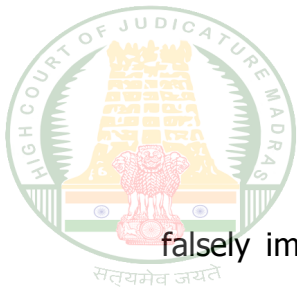
Government Advocate (Criminal Side) for R1

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to quash the First Information Report registered in Crime No.190 of 2023 dated 15.11.2023 on the file of the G-7, Chetpet Police Station, Chennai, for the alleged offences under Sections 341, 294(b), 324, and 506(ii) IPC.

2. The case of the petitioner is that he is a practicing Advocate and has been

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falsely implicated due to a prior complaint lodged by one Mr.Arun Prasath, which resulted in registration of Crime No.189 of 2023. It is the petitioner's contention that the present FIR is a counterblast filed by the de-facto complainant, who is related to the earlier accused. It is also the specific case of the petitioner that he was not present at the scene of occurrence, and has been arrayed solely with an intention to harass and to deter him from assisting his client.

3. The learned counsel for the petitioner submitted that the complaint does not disclose any overt act against the petitioner and that his name is wantonly included. It was further submitted that the petitioner, being an Advocate appearing for one of the parties in a related matter, is now being targeted through criminal process, which amounts to abuse of the machinery of law.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the complaint contains specific allegations, and the FIR discloses a cognizable offence. It is submitted that the investigation is at a preliminary stage, and hence, the petition under Section 482 Cr.P.C. seeking quashing of the FIR is premature.

5. This Court has considered the submissions made on either side and



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perused the materials available on record. A reading of the FIR indicates that there are specific and prima facie allegations against the petitioner that warrant investigation. The FIR clearly mentions the name of the petitioner and attributes a specific overt act, alleging that he had also attacked the victim. The contention that the petitioner was not present at the scene of occurrence, and that the complaint is motivated, are matters of defence, which cannot be gone into at this stage and must be adjudicated only after investigation and upon filing of the final report, if any. The power under Section 482 Cr.P.C. is to be exercised sparingly, and only in cases where the allegations, taken at face value, do not make out any offence. That is not the situation in the present case.

6. Accordingly, this Criminal Original Petition is dismissed.

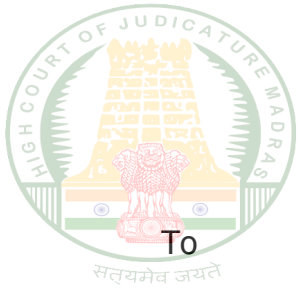
17.06.2025

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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No



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To

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1. The Inspector of Police,
G-7, Chetpet Police Station,
Chennai - 600 031.
2. The Public Prosecutor, Madras High Court, Chennai.



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