



CrI.O.P.No.21481 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 31.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.21481 of 2025 and
CrI.M.P.Nos.14729 and 14730 of 2025

1. Vijayakumar
2. Senthil @ Karthikeyan ... Petitioners

Vs.

1. The State rep. by
The Inspector of Police
South Police Station
Vellore, Vellore District
(Crime No.76 of 2023)

2. Kannaki
Asst. Director of Medical Services
DMS Building
Teynampet
Chennai - 600 006

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records in connection with C.C.No.284 on the file of the Judicial



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Magistrate, Vellore, Vellore District, pending and the same may be quashed.

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For Petitioners : Mr.T.Saravanan

For 1st Respondent : Dr.C.E.Pratap

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioners/accused to quash the case in C.C.No.284 of 2025 on the file of the Judicial Magistrate, Vellore, Vellore District.

2. The contention of the petitioners is that the petitioners had given a complaint against the defacto complainant before the Vigilance. Hence, in order to take vengeance, the defacto complainant lodged a false case against the petitioners and based on which, the first respondent police registered a FIR against the petitioners in Crime No.76 of 2023 for the offences under Sections 353, 506(i) IPC and Section 4 of TN Prohibition of Harassment of Women Act, on 09.03.2023. Subsequently, the first respondent police without conducting



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the investigation in a fair manner, filed the charge sheet against the petitioners

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and now the same has been taken on file in C.C.No.284 of 2025 on the file of the Judicial Magistrate, Vellore, Vellore District. Therefore, the same is liable to be quashed.

3. The learned Government Advocate (Crl. Side) appearing for the first respondent police submitted that the statements of the witnesses corroborated with the allegations of the defacto complainant and that there are prima facie materials to proceed further. Therefore, this Criminal Original Petition is liable to be dismissed.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the first respondent and also 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. A reading of the FIR, statements of the witnesses and the charge sheet



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shows prima facie allegations against the petitioner and there are materials to

proceed the case further against the petitioners. The grounds taken by the petitioners are nothing but defence, which can be agitated only during trial before the trial Court and not at this stage while deciding the petition under Section 528 BNSS.

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

8. However, the personal appearance of the petitioners before the trial Court is dispensed with and the petitioners are directed to appear before the trial Court as and when their presence is required by the trial Court.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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1. The Judicial Magistrate,
Vellore, Vellore District
2. The Inspector of Police
South Police Station
Vellore, Vellore District
3. The Public Prosecutor
High Court of Madras, Chennai



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P.VELMURUGAN,J.

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