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Crl.O.P.No.21474 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.08.2025

Coram:

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

Crl.O.P.No.21474 of 2025

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Gopinathan

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Virudampet,
Vellore.

2.Malar.R

.. Respondents

Criminal Original Petition filed under Section 528 of BNSS, to call for the records in C.C.No.1892 of 2024 in FIR No.126 of 2023, dated 24.06.2023, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Vellore and quash the same.

For petitioner : Mr.S.Murali Krishnan

For respondents: Dr.C.E.Pratap
Government Advocate (Criminal Side)



Crl.O.P.No.21474 of 2025

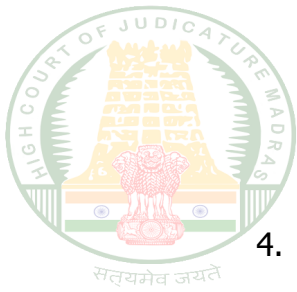
ORDER

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This Criminal Original Petition has been filed to quash the proceedings in C.C.No.1892 of 2024, now pending before the Judicial Magistrate, Additional Mahila Court, Vellore.

2. The petitioner is the sole accused in a case registered by the Virudampet Police Station in Crime No. 126 of 2023 for offences under Sections 294(b), 354, and 323 of the Indian Penal Code, along with Section 4 of the Tamil Nadu Prohibition of Women Harassment Act. The defacto complainant, Mrs.Malar, lodged a complaint on 24.06.2023. It was first entered in CSR No. 345 of 2023 and later converted into an FIR on 30.06.2023. She alleged that, while she was at Ottai Pillaiyar Koil Temple around 9.50 a.m., the petitioner, who was known to her, quarreled with her, pulled her blouse from behind, abused her in vulgar language, and hit her on the chest and stomach. She received simple injuries and was treated first at the Primary Health Centre and then at the Government Hospital.

3. According to the petitioner, complaint is false, motivated by earlier disputes, and made with the intention to harass him. It is claimed that the same person has made earlier complaints that did not go beyond the CSR stage.



Crl.O.P.No.21474 of 2025

4. On the other hand, the learned Government Advocate (Crl. Side) submits that the allegations in the complaint, the FIR, and the witness statements clearly disclose the commission of cognizable offences.

5. This Court has carefully considered the submissions and perused the materials on record. The allegations in the FIR, read in conjunction with the statements recorded under Section 161 CrPC/BNSS and the medical records, prima facie disclose the essential ingredients of the offences alleged. Whether the complaint is true or false can only be decided after evidence is taken in the trial. The points raised by the petitioner are matters for defence and cannot be considered at this stage.

6. Therefore, this Court is not inclined to quash the case in C.C. No. 1892 of 2024. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to raise all his defences before the trial court, which shall consider them on their own merits and in accordance with law.

01.08.2025

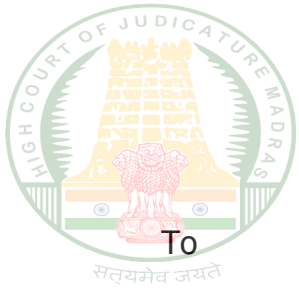
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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

Page No.3/5



Crl.O.P.No.21474 of 2025

To

WEB COPY

- 1.The Judicial Magistrate,
Additional Mahila Court, Vellore.
- 2.The Inspector of Police,
Virudampet,
Vellore.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



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Crl.O.P.No.21474 of 2025

P.VELMURUGAN, J

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Crl.O.P.No.21474 of 2025

01.08.2025