



Crl.O.P.No.32698 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.32698 of 2024
and Crl.M.P.No.18632 of 2024

Suganthram

... Petitioner

Vs.

1. The State rep by
The Inspector of Police,
Saravanampatty Police Station,
Coimbatore District.

2. Suresh

... Respondents

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the connected records made in Crime No.126/2023 on the file of the Inspector of Police, Saravanampatty Police Station, Coimbatore District and quash the same as illegal to secure ends of justice.

For Petitioner : Mr.A.Ramesh

For Respondents

For R1 : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

This petition has been filed to quash the FIR in Crime No.126 of 2023 pending on the file of the first respondent registered for the offence under Section 25(1B)(b) of Arms Act, 1959, as against the



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petitioner.

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2. The case of the prosecution is that the second respondent found one pen drive and it displayed video that the petitioner threatened the general public with knife. Hence, the complaint.

3. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the third respondent police registered a case in Crime No.126 of 2023 for the offences under Section 25(1B)(b) of Arms Act, as against the petitioner. Hence he prayed to quash the same.

4. The learned Government Advocate (Crl. Side) appearing for the first respondent police submitted that the petitioner is a history sheeter and he threatened the general public by showing the knife. He further submitted that now the investigation is almost over and yet to file final report.

5. Heard the learned counsel appearing on either side and



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perused the materials placed before this Court.

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6. According to the prosecution, the second respondent found one pen drive and it displayed the video that the petitioner threatened the general public with knife. However, on what date and what circumstances, the petitioner threatened the general public, there is absolutely no information about it. Based on that video, the FIR has been registered. In order to strengthen the antecedent of the petitioner in the history sheet, the present FIR has been registered. Therefore, no case is made out as against the petitioner to attract the offence under Section 25(1B)(b) of Arms Act.

7. In view of the above discussions, the FIR in Crime No.126 of 2023 on the file of the first respondent, is hereby quashed and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

19.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rts



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G.K.ILANTHIRAIYAN, J.

rts

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To

1. The Inspector of Police,
Saravanampatty Police Station,
Coimbatore District.

2. The Public Prosecutor
Madras High Court,
Chennai.

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