



WEB COPY



Crl.O.P.No.25517 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

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THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No. 25517 of 2025

and

Crl.M.P.No.17287 of 2025

Murugesan

... Petitioner

Vs.

The State Rep By:

1. The Inspector of Police,
Elavanasoor Police Station,
Kallakurichi District,
Crime No.21 of 2025.

2. M.Murugan

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to call for the records pertaining to the impugned FIR in Crime No.21 of 2025 on the file of the 1st respondent-Police and quash the same.

For Petitioner : Mr.W.Cleetus

For Respondents : Mr.R.Vinoth Raja

Government Advocate (Crl.Side)
for R1

ORDER



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This Criminal Original Petition has been filed to quash the FIR in

Crime No.21 of 2025 on the file of the 1st respondent-Police.

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

3. The case of the prosecution is that on 22.01.2025 at 2.00 a.m., three unknown persons have entered into the second respondent/*de-facto* complainant's house and snatched a gold thali weighed about 5 ½ sovereigns from the *de-facto* complainant. Hence, a case in Crime No.21 of 2025 was registered for the offences punishable under Sections 304(2) and 331(4) of BNS, 2023.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent-Police, on instructions, submitted that based on the confession given by the other co-accused, the petitioner has been arrested and remanded to judicial custody. He further submitted that the investigation is going on and hence, the Criminal Original Petition may be dismissed.



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WEB COPY 5. At this juncture, the learned counsel for the petitioner contended that the petitioner's name has not been found in the FIR and in the original complaint. Only based on the confession given by Panneer Selvam and Shanmugam, the petitioner has been falsely implicated in the alleged offences.

6. At the outset, this Court is of the view that investigation is on and part of such huge crime is unearthed and hence, this Court does not find any merit in the present petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

22.09.2025

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

1. The Inspector of Police,
Elavanasoor Police Station,
Kallakurichi District.

2. The Public Prosecutor,
High Court, Madras.



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N. SATHISH KUMAR, J.

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