



CrI.O.P.No.27582 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.27582 of 2025
and CrI.M.P.No.18681 of 2025

1.Pradeep
2.Suraj

... Petitioners

Vs.

1.The State of Tamilnadu
Rep by Inspector of Police
GRP Chennai Central Police Station

2.Supriya

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in Cr.No.387/2025 pending on the file of the first respondent police and quash the same.

For Petitioner : M/s.K.Kably Taiyab Khan
For Respondents : Mr.R.Vinothraja
Government Advocate (CrI.Side)

ORDER

The petitioner seeks to quash the FIR registered in Cr.No.387 of 2025 for the offences punishable under Sections 115(2) and 118 of BNS, 2023 on the file of the first respondent police.

2. The petitioner appears to have assaulted the deceased when the



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deceased attempted to steal the jewels while the petitioner was sleeping in the Central Railway Station.

3. Heard both sides and perused the materials placed on record.

4. Whether the petitioner exceeded the right of defence or not is a matter of evidence, it has to be seen only when the materials come on record during trial. This Court is of the view that all the factual aspects have to be established only before the Trial Court and this Court cannot quash the FIR merely on the basis of the submissions of the learned counsel for the petitioner. In this regard, it is relevant to note that the Hon'ble Supreme Court in the case of *Gunmala Sales Private Limited Vs. Anu Mehta and others* reported in (2015) 1 SCC 103 has held that High Court cannot conduct a mini trial or roving enquiry in a 482 petition.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

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dhk

Neutral Citation : Yes/No

Internet : Yes/No



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WEB COPY

1.The Inspector of Police
GRP Chennai Central Police Station

2. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.



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