



Crl.O.P.(MD)No.609 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.609 of 2025

and

Crl.M.P(MD) No.419 of 2025

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.. Petitioner

Vs.

1. The Inspector of Police
Eriodu Police Station
Dindigul District

2. Supparaj

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records connected with the case in Crime No. 261/2024 on the file of the respondent No.1 and quash the same as illegal as against the petitioner.

For Petitioner	: Mr.S.Ramesh Kumar
For Respondents	: Mr.M.Vaikkam Karunanithi
No. 1	Government Advocate(Crl.Side)
No.2	: Mr.V.Sasikumar

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 261 of 2024 on the file of the first respondent police



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2. The learned counsel appearing for the petitioner would submit that the petitioner is the accused in this case. Based on the complaint given by the second respondent a case has been registered in Crime No.261 of 2024 for the offences under Sections 279 and 337 of IPC. Infact no such occurrence had taken place as alleged in the First Information Report. There is a delay in registering the First Information Report. The date of occurrence in 06.02.2024 but the date of registration of the First Information Report is 13.10.2024 and there is enormous delay and the same was not explained. Even as per the second respondent he has taken treatment for more than two months but no complaint was given immediately after treatment. Further the petitioner is also having some documents to show that he is not involved in the occurrence , therefore he prayed to quash the First Information Report.

3. The learned counsel appearing for the second respondent/defacto complainant would submit that the petitioner is a known person to the second respondent and both are from the same village. Whiles on 06.02.2024 when he went to Pidariamman temple the petitioner came there in a two wheeler in a rash and negligent manner and dashed against him,



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therefore he sustained injuries, thereby he lodged complaint and based on the complaint, First Information Report the case has been registered and the case is under investigation. At this stage quashing of the First Information Report is not maintainable.

4. The learned Government Advocate(Crl.Side) appearing for the first respondent would submit based on the complaint given by the second respondent, the case has been registered and the same is under investigation. The delay in registering the First Information Report is not a sole ground to quash the First Information Report. If the petitioner has any documents he can produce the same before the investigation officer and if any documents are filed the same can be considered by the first respondent, therefore the petition is liable to be quashed.

5. Heard both sides and perused the materials available on record.

6. According to the petitioner no such occurrence had happened and he did not involve in any occurrence as alleged by the petitioner. There is enormous delay in registering the First Information Report. The date of occurrence is 06.02.2024 and the date of registration of First Information Report 13.10.2024. Even as per the First Information Report there are no



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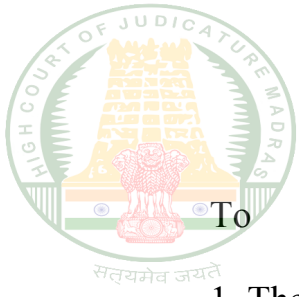
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allegations to constitute the offence and therefore the present First Information Report is liable to be quashed. This Court carefully perused the documents and on perusal of the First Information report there are some allegations to constitute the offence against the accused. The contents of the First Information Report cannot be tested at this stage. According to the respondent the investigation is still pending and therefore the petitioner has to wait till filing of charge sheet and at this stage the prayer of the petitioner cannot be considered and no ground to quash the First Information Report .However the petitioner is at liberty to approach the first respondent if he has any documents to support his contention that he has not involved in the occurrence.

7. In view of the same, the Criminal Original Petition stands dismissed. Consequently connected miscellaneous petition stands closed.

20.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1. The Inspector of Police
Eriodu Police Station
Dindigul District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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