



Crl.O.P.(MD) No. 1235 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.1235 of 2025

and Crl.M.P(MD) No.844 of 2025

1. Buvaneshwari
2. Kumar
3. Vaigai Murugan @ Murugan ... Petitioners

Vs

1. The State of Tamilnadu,
Represented by the Inspector of Police,
Sempatti Police Station,
Dindigul District.
Crime No.90 of 2024.

2. Ayyappasamy ...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), to call for the records in connection with the impugned F.I.R in Crime No.90 of 2024 dated 22.03.2024 pending on the file of the 1st respondent police and quash the same in so far as the petitioners are concerned.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondent :

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)



Crl.O.P.(MD) No. 1235 of 2025

ORDER

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This criminal original petition has been filed by the petitioners to quash the F.I.R registered in Crime No.90 of 2024 on the file of the first respondent.

2. According to the petitioners, based on the complaint given by the second respondent, F.I.R has been registered in Crime No.90 of 2024 for the offences under Sections 294(b), 435, 324, 506(1) of IPC. The alleged occurrence took place on 10.02.2024, but the complaint was lodged on 22.02.2024 and there is an enormous delay. Even as per the F.I.R, there are no ingredients to constitute the offence as against the petitioners. Therefore, the present F.I.R is liable to be quashed.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the first respondent would submit that as per the F.I.R, there are serious allegations and the offences are serious in nature. The investigation in this case is going on and they have obtained the wound certificate of the victim. Therefore, there are some materials to constitute the offence as against the petitioners and the present petition is liable to be



Crl.O.P.(MD) No. 1235 of 2025

dismissed.

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4. Head both sides and perused the materials on record.

5. This petition is filed to quash the F.I.R. According to the F.I.R, there are some serious allegations levelled against the accused in this case and those allegations constituted some offences, it is well settled law that if there are no content in the F.I.R to constitute the offence, this Court can quash the F.I.R. But in the case on hand, there are some serious allegations to constitute the offences. Therefore, it is for the first respondent to investigate the matter in a fair manner and if any charge sheet is filed as against these petitioners, the petitioners are at liberty to challenge the same in the manner known to law.

6. With the above said observations, this Criminal Original Petition is dismissed. No costs. Consequently, connected Criminal Miscellaneous Petition is closed.

06.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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Crl.O.P.(MD) No. 1235 of 2025

P.DHANABAL, J.

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To

1. The Inspector of Police,
Salaigramam Police Station,
Salaigramam,
Ilaiyangudi Taluk,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P(MD)No.1235 of 2025
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