



CRL.OP(MD) NO.1950 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 06.02.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.DHANABAL**

CRL. O.P(MD) No.1950 of 2025

and

CRL MP(MD)No.1324 of 2025

1.P.Alagumani @ Nagamani  
2.P.Sabarikumar  
3.R.Thirupathy

... Petitioners/Accused Nos.1 to 3

vs.

1.State of Tamil Nadu  
rep. by the Sub Inspector of Police,  
Bodinayakkanur City Police Station,  
Bodinayakkanur.  
(Cr.No.181 of 2024)

2.S.Subbulakhmi

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records pertaining to the First Information Report in Crime No.181 of 2024 on the file of the first respondent police and quash the same in so far as the petitioner is concerned.



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For petitioners : Mr.K.C.Ramalingam  
For Respondents :Mr.K.Sakthi Kumar,  
Government Advocate (Crl) for R1

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### **ORDER**

This petition has been filed by the petitioners to quash the First Information Report in Crime No.181 of 2024 on the file of the first respondent police.

2. According to the petitioners, based on the complaint given by the second respondent, the first respondent police registered the case in Crime No. 181 of 2024, for the offences under Sections 294(b), 323, 324 & 506(1) of IPC. In fact, the petitioners are no way connected with the said incident and there is no specific allegation in the complaint to constitute offences as alleged in the FIR. There is a matrimonial dispute between the petitioners and the second respondent and therefore, the present complaint has been lodged with false averments. Moreover, even as per the FIR and complaint, there are no ingredients to constitute offences as against the petitioners. Therefore, pending FIR is liable to be quashed.



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3. The learned Government Advocate (Crl) for the first respondent police would submit that based on the complaint given by the second respondent, registered the case in Cr.No.181 of 2024 and thereby, the matter has been elaborately investigated and Final Report has been filed. Further, the learned Judicial Magistrate, Bodi, has taken cognizance in C.C.No.3 of 2025. Therefore, this petition is liable to be dismissed.

4. This Court heard both sides and perused the records.

5. This petition is filed to quash the FIR. Thereafter, the first respondent conducted elaborate enquiry and filed Final Report. It is a well settled law that this Court can quash the FIR, if no any ingredients to constitute offences. But, in this case, as per the complaint and FIR, there are some allegations against the petitioners to constitute offences. The first respondent police also filed the Final Report, after conducting investigation. Therefore, it is appropriate to dispose of this petition, preserving the liberty of the petitioners to challenge the Final Report.



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**WEB COPY** 6. With the above observations, this Criminal Original Petition is disposed. Consequently, connected miscellaneous petition is closed.

**06.02.2025**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
apd

To

1.The Sub Inspector of Police,  
Bodinayakkanur City Police Station,  
Bodinayakkanur.

2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**P.DHANABAL,J**

apd

**Crl.OP(MD) No.1950 of 2025**

**06.02.2025**