



Crl.O.P.(MD) No. 1796 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.1796 of 2025

and Crl.M.P(MD) No.1233 of 2025

1. Palanisamy
2. Sellam @ Chellam
3. Anantha Valli @ Ananthavalli ... Petitioners

Vs

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
Manapparai Police Station,
Trichy District.
Crime No.488 of 2024.
2. Chithra ...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records in Crime no.488 of 2024 pending investigation on the file of the 1st Respondent and Quash the same as against the petitioners.

For Petitioner : Mr.P.T.Ramesh Raja

For Respondent :

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)



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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.488 of 2024 on the file of the first respondent.

2. According to the petitioners, an F.I.R in Crime No.488 of 2024 has been registered for the offences under sections 296 (b), 115(2), 351(2) of BNS, 2023 and Section 4 of the Prohibition of Harassment of Women Act, 2002 as against the petitioners. In this case, a counter case has also been registered based on the complaint given by these petitioners in Crime No.487 of 2024 and there is an enmity between two families. The petitioners have some video footage in respect of the incident involved in this case, but the respondent police have not considered the video footages. Even according to the F.I.R, there are no ingredients to constitute the offence and 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 based on the



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complaint given by the second respondent, an F.I.R has been registered in Crime No.488 of 2024 for the offences under sections 296 (b), 115(2), 351(2) of BNS, 2023 and Section 4 of the Prohibition of Harassment of Women Act, 2002. Similarly, the second petitioner has also lodged a counter complaint and based on that complainant, F.I.R has been registered in Crime No.488 of 2024. Now, both the cases are under investigation. Therefore, at this stage, the petitioners are not entitled to any relief.

4. Heard both sides and perused the records.

5. It is an admitted fact that there are two counter F.I.Rs have been registered based on the compliant given by the parties and now the cases are under investigation. The main contention of the petitioners is that they have some evidence of video footage, but the first respondent has not considered the video footage. This Court perused the F.I.R and based on the F.I.R, there are some allegations to constitute the offences. While so, it is for the first respondent to investigate the matter in a fair manner and the petitioners are at liberty to furnish all the records available with them to the respondent police in respect of the occurrence, and the first



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respondent shall consider the same in accordance with law. Therefore,
this Court is not inclined to quash the F.I.R at this stage.

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

06.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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P.DHANABAL, J.

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To

1. The Inspector of Police,
Manapparai Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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