



*Crl.O.P.(MD)No.3009 of 2025*

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

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DATED :19.02.2025

CORAM :

**THE HON'BLE MR.JUSTICE P. DHANABAL**

Crl.O.P.(MD)No.3009 of 2025

and Crl.M.P(MD) No.2042 of 2025

1. Balamurugan

2. K. Vallarasu

... Petitioners

Vs.

1. The State of Tamilnadu,  
Rep. by the Sub Inspector of Police,  
Gandamanur Vilakku Police Station,  
Theni District.

2. P. Eswaran

... Respondents

**Prayer :** Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita , 2023, to call for the records pertaining to the First Information Report in Crime No. 209/2024 dated 28.11.2024 on the file of the Respondent No.1 Police under sections 296(b), 115(2), 118(1), 351(3) of Bharatiya Nyaya Sanhitha (BNS), 2023.

For Petitioners : Mr.S.Louis

For R-1 : Mr.M.Vaikkam Karunanithi  
Government Advocate (Crl. Side)



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### **ORDER**

This Criminal Original Petition has been filed by the petitioners to quash the F.I.R in Crime No.209 of 2024 on the file of the first respondent police.

2. The learned counsel appearing for the petitioners would submit that based on the complaint given by the second respondent, the first respondent registered a case in Crime No.209 of 2024 for the offences under Sections 296(b), 115(2), 118(1), 351(3) of BNSS, 2023. In fact, the petitioners have not committed any offences and they have been falsely implicated in this case. Even as per the F.I.R, there are no ingredients to constitute the offences and thereby, the present F.I.R is liable to quashed.

3. The learned Government Advocate (Criminal) for first respondent would submit that based on the complaint given by the second respondent, they have registered a case in Crime No.209 of 2024 for the offences under Sections 296(b), 115(2), 118(1) and 351(3) of BNSS, 2023. Thereafter, they conducted an elaborate investigation and as per the investigation, there are prime facie material available to proceed with the case as against the petitioners and they filed the final report through online and the same is

<https://www.mhc.tn.gov.in/> taken on file by the learned Judicial Magistrate, Aruppukottai. Therefore,



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nothing survives for further adjudication.

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4. Considering the above said submission of the learned Government Advocate for the first respondent that already the investigation has been completed and filed the final report, the present petition is only to challenge the F.I.R and even as per the F.I.R, there are some allegations to constitute the offences, thereby this Court is inclined to dispose the case preserving the liberty of the petitioners to challenge the final report in the manner known to law.

5. With the above said observation, this criminal original petition is disposed of. Consequently connected Criminal Miscellaneous Petition is also closed

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NCC : Yes / No

Index : Yes / No

Internet : Yes

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**P. DHANABAL, J.,**

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To

1. The Sub Inspector of Police,  
Gandamanur Vilakku Police Station,  
Theni District.

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

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