



Crl.O.P.(MD)No.2994 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.2994 of 2025

and Crl.M.P.(MD) No.2026 of 2025

Sathiyavani

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
Vilampatti Police Station,
Dindigul District.
Crime No. 207/2024.

2. P.Raja

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita , 2023, to call for the records relating to the F.I.R
in Crime No. 207 of 2024 on the file of the 1st respondent police and quash
the same as against this petitioner / Sole Accused illegal.

For Petitioner : Mr.M.Arvind Pawlraj

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

ORDER

This Criminal Original Petition has been filed by the petitioner to

<https://www.mhc.tn.gov.in/judis> quash the F.I.R in Crime No.207 of 2024 on the file of the first respondent



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police.

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2. According to the petitioner, based on the complaint given by the second respondent, the 1st respondent have registered a case in Crime No. 207 of 2024 for the offences under Section 296 (b) of BNSS and 92(a) of the Rights of Persons with Disabilities Act, 2016. But in fact, no occurrence was happened as alleged in the F.I.R and even as per the F.I.R, there are no ingredients to constitute the offence under Section 296 (b) of BNSS and 92(a) of the Rights of Persons with Disabilities Act, 2016. Already a counter case is also lodged as against the defacto complainant and F.I.R in Crime No.208 of 2024 has been registered. Therefore, for the counter blast, the present F.I.R has been registered.

3. The learned Government Advocate (Criminal) appearing for the first respondent would submit that based on the complaint lodged by the second respondent, they have registered a case in Crime No.207 of 2024 as against the petitioner for the offences under Section 296 (b) of BNSS and 92(a) of the Rights of Persons with Disabilities Act, 2016. They have conducted an elaborate investigation and after investigation, there are prima facie material available to proceed with the case as against the petitioner, thereby they filed the final report before the Judicial Magistrate, Nilakottai



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through online and the same is pending for taking cognizance. Therefore, the petitioner has to face the trial or they can challenge the charge sheet.

4. This Court heard the learned counsels on both side and perused the records.

5. This petition is filed challenging the F.I.R registered in Crime No. 207 of 2024 and as per the F.I.R, there are some allegation to constitute the offence, however, after an elaborate investigation, the first respondent police filed the charge sheet. Therefore, the petitioner is at liberty to challenge the charge sheet in the manner known to law. Since the charge sheet is filed though online, it is for the learned Judicial Magistrate to take appropriate decision on the charge sheet without any delay.

6. With the above said observation, this criminal original petition is closed. Consequently, connected Miscellaneous Petition is also closed

19.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. The Inspector of Police,
Vilampatti Police Station,
Dindigul District.

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

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