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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.7583 of 2025

1.Vivekanandan

2.Mathavan .... Petitioners

Vs

1.State of Tamil Nadu rep. by its,

The Inspector of Police,

Tamil University Police Station,

Thanjavur District.

(In Crime No.104 of 2025)

2.Bharathi .... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to Crime No.104 of 2025, dated 07.03.2025 on the file of the first respondent Police and to quash the same in so far as the petitioner.

For Petitioners : Mr.S.Sathyachidambaram

For Respondents : Mr.P.Kottai Chamy (for R1)
Government Advocate(Crl.side)

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ORDER

The petitioners are accused Nos.1 and 2 in Crime No.104 of 2025 on the file of the first respondent Police which was registered for the offence under Sections 126(2), 204 and 308(2) of BNS, 2023. They have filed this application to quash the proceedings pending against them in Crime No.104 of 2025 on the file of the first respondent Police, on the ground that the issue has been amicably settled among themselves.

2.The prosecution case is that the defacto complainant is a lorry driver. On 02.03.2025, while he was proceeding towards Nannilam from Pudukottai in a lorry bearing Registration No.TN 75 K 1370, the petitioners introduced themselves as RTO and his assistant and they enquired the defacto complainant about his license and permit and allegedly extorted a sum of Rs.16,500/- from him. When the defacto complainant questioned their identity and proof of RTO, they fled from the scene. Later, the defacto complainant came to know that the first petitioner is a driver in RTO office and the second petitioner is a broker in RTO office. Hence, the present case.

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3.Mr.P.Kottai Chamy, learned Government Advocate (Crl.side) appearing for the first respondent Police strongly objects for quashing the proceedings in Crime No.104 of 2025 that the petitioner had impersonated as RTO and extorted amount of Rs.16,500/- from the defacto complainant, who is a lorry driver.

4.Considering the nature of offence and objections raised by the learned Government Advocate (Crl.side), this Court is not inclined to quash the proceedings, even though it is reported that the matter has been compromised between the parties.

5.Accordingly, this criminal original petition is dismissed.

27.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
vsg

To

1.The Inspector of Police,
Tamil University Police Station, Thanjavur District.

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

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