



Crl.O.P.(MD)No.14386 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14386 of 2025

and

Crl.M.P.(MD).No.11662 of 2025

1.Thommai Antony

2.Selvam @ Arokiya Selvam

3.Siluvai Antony

... Petitioners/Accused 1 to 3

Vs.

1.The State of Tamil Nadu,
Represented by the Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
In Crime No.196 of 2025.

... 1st Respondent/Complainant

2.Senthilkumar

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to call for the records and quash in Crime No.197 of 2025 on the file of the Arumuganeri Police Station, Thoothukudi District and quash the same.



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For Petitioners : Mr.S.Pandiyaraj
For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioners seek quashing of the FIR in Crime No.197 of 2025, which has been registered for the offences under Section 296(b) and 115(2) of BNS, 2023 on the file of the first respondent.

2. The grounds raised by the petitioners are that the defacto complainant's sons had committed offences against the first petitioner's wife and the mother of the petitioners lodged a complaint against the defacto complainant's sons, which was registered in Crime No.196 of 2025 for the offences under Section 3(5), 296(b), 115(2), 118(1), 324(4), 305 and 351(2) of BNS, 2023 and that only to counter the said complaint, the instant FIR was lodged. The learned counsel for the petitioners would submit that the first respondent is not conducting the investigation in the complaint filed by them in an effective manner.

3. The learned Additional Public Prosecutor, on instructions, would submit that the victims were injured in the incident and were treated as



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in-patients and they have also produced the entries made in the Accident Register to substantiate their case and that since the points raised by the petitioners involve factual disputes, this Court may not interfere with the investigation.

4. The main ground raised by the petitioners is that the complaint against them is false, since it was lodged only as a counter to the complaint filed by the mother of the petitioners against the defacto complainant's sons. This Court is of the view that such a ground may not be available to the petitioners to seek quashing of the instant FIR. The first respondent shall conduct the investigation in a fair manner by following the procedure under Order 588-A of the Police Standing Orders, since admittedly, there is a counter complaint.

5. With the above observations, this Criminal Original Petition stands closed. Consequently, connected miscellaneous petition is closed.

01.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

1. The Inspector of Police,
The State of Tamil Nadu,
Arumuganeri Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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