



Crl.O.P.(MD)No.16537 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.16537 of 2025

and

Crl.M.P.(MD).No.13466 of 2025

Srinivasan

... Petitioner/Accused No.2

Vs.

1.State of Tamil Nadu,
Rep. by the Inspector of Police,
Navalpattu Police Station,
Trichy District.
(Crime No.782/2020)

... 1st Respondent/Complainant

2.Elangaovan,
Special Sub Inspector of Police,
Manikandam Police Station,
Trichy.

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the proceedings of the First Information Report in Crime No.782/2020 pending on the file of the 1st respondent police and quash the same as illegal in respect of the petitioner/accused No.2 herein.

For Petitioner : Mr.A.Balakrishnan

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)



This Criminal Original Petition is filed to quash the impugned FIR in Crime No.782 of 2020 on the file of the first respondent, which was registered for the offences under Section 270, 468 and 471 of IPC.

2. The gist of the allegations in the FIR is that during COVID period, the first accused had produced an e-pass, which was found to be forged by the respondents and when questioned by the respondents, the first accused confessed that it was printed by the second accused, namely, the petitioner herein.

3. The learned counsel for the petitioner would submit that though the FIR was registered in the year 2020, the first respondent has not filed the final report so far; that the Government has also issued orders directing withdrawal of cases registered during COVID period for violation of COVID-19 pandemic rules; that inspite of the same, the first respondent has not withdrawn the impugned FIR; and that in any case, since the material against the petitioner is only the confession of the co-accused, no useful purpose would be served in keeping the impugned FIR pending.



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4. Heard the learned Government Advocate (Crl. Side) appearing for the first respondent, who would fairly submit that no investigation has been conducted so far in the impugned FIR.

5. Admittedly, the case was registered during the COVID period. It is not known as to why the G.O. issued by the Government for withdrawal of the cases registered during COVID period has not been made applicable to the impugned FIR. Be that as it may. The allegation as against the first accused is that he produced an e-pass, which was found to be forged and he confessed that it was printed in the shop of the petitioner. The only material to accuse the petitioner of the alleged offence of forgery is the confession of the first accused. The first respondent has so far not conducted investigation and the case is pending investigation for the past five years. Considering the nature of the material against the petitioner, the fact that the first respondent has chosen not to file the final report for five years and that there is a Government Order to withdraw all these cases, this Court is inclined to quash the impugned FIR as against the petitioner. Accordingly, the impugned FIR in Crime No.782 of 2020 on the file of the first respondent is quashed only insofar as the petitioner is concerned.



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6. In the result, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

13.11.2025

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

To

- 1.The Inspector of Police,
Navalpattu Police Station,
Trichy District.
- 2.The Special Sub Inspector of Police,
Manikandam Police Station,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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