



CRL OP(MD). No.16909 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.16909 of 2025

and

CrI.M.P(MD).Nos.13735 and 13736 of 2025

Neppolian,

... Petitioner

Vs

1. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Annanagar,
Madurai City..

2. The Inspector of Police,,
Mattuthavani Police Station,
Madurai City.
(Crime No.482/2025).

3. Kulanthai,,
S/o.Alagumalai,

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to Spl.S.C.No.68/2025 before the III Additional District Judge (PCR) Madurai and Quash the same.



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For Petitioner : Mr.D.S.Haroon Rasheed

For R1 and R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The petitioner seeks to quash Spl.S.C.No.68/2025 before the III Additional District Judge (PCR) Madurai, for the offences under Sections 296(b), 351(3) of BNS Act, 2023 r/w Section 4 of TNPHW Act, 2002 and Section 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989.

2. The allegation in the final report is that on account of prior enmity, the petitioner had attacked the defacto complainant, abused him in filthy language and humiliated him on account of his caste and thus committed the offence of criminal intimidation.

3. The learned counsel for the petitioner would submit that the impugned prosecution is an abuse of process of law; that though the alleged occurrence took place on 05.06.2025, the FIR was registered only on 12.06.2025; that the alleged occurrence took place inside the house of the defacto complainant and hence it is not in public place and that



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CCTV footage collected was only for three minutes and that the chances of conviction are bleak and therefore, he sought for quashing the FIR.

4. This Court is of the view that the delay in registering the FIR may not be a ground for quashing, though it may have a bearing during the trial. All other points raised by the petitioner are factual in nature. Hence, this Court is of the view that it is for the petitioner to raise all the points before the trial Court and hence, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all the points before the trial Court. Consequently, connected miscellaneous petitions are closed.

5. However, considering the request of the learned counsel for the petitioner, the personal appearance of the petitioner before the trial Court is dispensed with, except on hearings when his presence is required by the trial Judge for the progress of the trial, provided the petitioner is represented by a lawyer. The learned III Additional District Judge(PCR) Madurai, is directed to dispose of the case as expeditiously as possible.

13.10.2025

TTA /ars



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TO

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1. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Annanagar,
Madurai City..
2. The Inspector of Police,,
Mattuthavani Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J

TTA /ars

**ORDER
IN
CRL OP(MD) No.16909 of 2025**

Date : 13/10/2025