



Crl.O.P.(MD)No.19191 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19191 of 2025

and

Crl.M.P.(MD).No.16009 of 2025

Ubaidhullah

wrongly mentioned as Ubaideen in FIR

... Petitioner/Accused No.3

Vs.

1.The Inspector of Police,
Koodal Pudur Police Station,
Madurai City.
(Crime No.429 of 2024)

... 1st Respondent/Complainant

2.P.Tamil Sangu

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records pertaining to the first information report in Crime No.429 of 2024 dated 09.08.2024 on the file of the Respondent No.1 and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel
for M/s.Roy and Roy Associates

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

For R-2 : Mr.I.Pinaygash



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ORDER

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The petitioner seeks to quash the impugned FIR in Crime No.429 of 2024 on the file of the first respondent, which was registered for the offences under Section 191(2), 191(3), 333, 296(b), 351(3) of BNS, 2023 and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

2. The gist of the allegations in the FIR is that the petitioner along with others had trespassed into the property of the defacto complainant and damaged the properties worth about Rs.3,00,000/-; that they had abused the defacto complainant in filthy language and also threatened him of dire consequences.

3. The learned Senior Counsel for the petitioner would submit that the petitioner was not present in the scene of occurrence; that he has been wrongly roped in as an accused; and that in view of the pendency of the FIR, he is unable to enroll himself as a lawyer in the Bar Council.

4. Mr.I.Pinaygash, learned counsel, who takes notice for the second respondent, would submit that the petitioner was not present in the scene of occurrence.



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5. The defacto complainant, namely, P.Tamil Sangu is present before this Court in person and identified by Mr.Kalyana Sundaram, Special Sub Inspector of Police, Koodal Pudur Police Station, Madurai City. The defacto complainant would confirm that he has not implicated the petitioner in this case.

6. In view of the aforesaid statement of the defacto complainant, the first respondent shall examine the defacto complainant once again and file the final report as against those persons, who were actually involved in the occurrence, within a period of one (1) month from the date of receipt of a copy of this order.

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

03.11.2025

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

To

1.The Inspector of Police,
Koodal Pudur Police Station,
Madurai City.

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

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SUNDER MOHAN, J.

Lm

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