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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl. O.P(MD) No. 22067 of 2025
and
Crl.MP(MD)No.18996 of 2025

1.Mohandoss

2.Deepan

... Petitioners/Accused No.1 & 2

Vs

1.State of Tamil Nadu rep by its,
The Inspector of Police,
Manapparai Police Station,
Trichy District.
In Crime No.60 of 2025

... 1st Respondent/Complainant

2. Baskar
Head Constable 121,
Manapparai Police Station,
Trichy District.

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records pertaining to the impugned FIR in Crime No.60 of 2025 on the file of the respondent police and quash the same as illegal as far as against the petitioners are concerned.



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For petitioners :Mr.A.Joel Paul Antony

For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed to quash the First Information Report in Crime No.60 of 2025 on the file of the respondent police.

2. On 15.02.2025, when the police party were on patrol duty, near Uadhayam Theater, there was a quarrel between the petitioners. The first petitioner attacked the second petitioner with helmet & a lathi of the police and further, threatened them with dire consequences with a knife. Hence, a case in Crime No.60 of 2025 was registered against the petitioners, who had arrayed as accused No.1 & 2 for the offence punishable under Sections 292, 132, 121(1), 115(2) and 351(3) of BNS, 2023 (Equal Offence - 290, 353, 332, 232 and 506(2) of IPC) and Section 3(1) of Tamilnadu Public Property (Prevention of Damage and Loss) Act, 1992. Seeking to quash the same, this petition has been filed.



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3. The learned counsel for the petitioners submitted that two FIRs came to be registered for a single incident. Already, a case in Crime No.58 of 2025 was registered by the respondent police and hence, the case in Crime No.60 of 2025, which is the second FIR is liable to be quashed.

4. Per contra, the learned Government Advocate (Crl.Side) for the first respondent indicated that both the FIRs were registered by the respondent police for two different incidents, which happened on the same day. Earlier, the petitioners called the respondent police by making a call through the emergency number of 100 and the respondent police. On reaching the spot had registered the first FIR for the offences complained. While the respondent police was investigating in the spot, the first petitioner had forcibly pulled off the lathi from the police concerned and had indulged in assaulting the police. For which, second FIR came to be registered. That apart, the first petitioner is having seven previous cases and the second petitioner is having 11 previous cases. Hence, he prayed for dismissal of the petition.

5. This Court carefully considered the submissions made on



either side and also perused the materials available on records.

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6. Considering the submission made by the learned Government Advocate (Crl.Side), this Court is not inclined to quash the FIR against the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

03.12.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Inspector of Police,
Manapparai Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

L.VICTORIA GOWRI,J

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