



Crl.R.C.No.153 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.153 of 2026
& Crl.M.P.Nos.964 & 965 of 2026

Mr.A.Arun Kumar

...Petitioner

-Vs-

The State Rep by,
The Sub-Inspector of Police,
Arni Town Police Station, Arni,
Tiruvannamalai Dist., Tamil Nadu.
Crime No.798 of 2021

...Respondent

PRAYER: Criminal Revision Petition is filed under Sections 438 r/w 442 of BNSS Act, 2023, to set aside/revise the impugned order dated 28/10/2025, passed by the Hon'ble Judicial Magistrate, Arni, in Crl.M.P.No.1346/2025 in CC.No.243 of 2024 pending trial, and discharge the petitioner from the case in CC.No.243 of 2024 on the file the Judicial Magistrate, Arni.

For Petitioner	:	Mr.Dharani Kasinathan
For Respondent	:	Mr.R.Vinothraja, Government Advocate (Crl. Side)

ORDER

The Revision challenges the dismissal of the discharge petition filed by the petitioner before the trial Court. The petitioner is an accused of the offences under Section 294 (b), 353, 384 & 506(i) of IPC.



Crl.R.C.No.153 of 2026

2.The gist of the allegation in the final report is that the petitioner claims himself to be a social worker and had spread false messages and threatened the defacto complainant that he would spread a false message that he received a bribe of Rs.2,000/-, if he did not pay a sum of Rs.50,000/- to the petitioner.

3.The trial Judge dismissed the discharge petition on the ground that the materials relied upon by the prosecution *prima facie* discloses the commission of the offence.

4.The learned counsel for the petitioner would submit that the final report is pursuant to a complaint, which is motivated and false; that though the 161 Cr.P.C., statement were recorded on 29.06.2021, the signature of the Investigating Officer in the 161 Cr.P.C., statement would suggest that it was recorded on 26.06.2021. Therefore, the investigation and the final report are vitiated.

5.This Court finds that there is a discrepancy in the dates of recording the 161 Cr.P.C., statement and in the signature of the investigating officer. However, this Court cannot at this stage discharge the petitioner only on that



Crl.R.C.No.153 of 2026

ground. It is for the petitioner to establish that the complaint is motivated and false and the investigation was not conducted in a manner it ought to be done. Factual disputes cannot be adjudicated at this stage.

6. Therefore, giving liberty to the petitioner to raise all the points before the trial Court, the Revision is dismissed. Consequently, the connected miscellaneous petitions are closed. However, considering the request of the petitioner, the petitioner's appearance before the trial Court is dispensed with, (provided he is represented by a lawyer) unless his presence is required by the trial Judge for the progress of the trial.

23.01.2026

Tsg

To

1. The Judicial Magistrate, Arni.
2. The Sub-Inspector of Police,
Arni Town Police Station, Arni,
Tiruvannamalai District, Tamil Nadu.
3. The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.R.C.No.153 of 2026

SUNDER MOHAN, J.

Tsg

Crl.R.C.No.153 of 2026
& Crl.M.P.Nos.964 & 965 of 2026

23.01.2026