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Crl.O.P.No.2581 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2581 of 2026
and Crl.M.P.No.1725 of 2026

1. Nithishraj
2. Pirathipa Francis ... Petitioners

Vs.

1. State represented by,
The Inspector of Police,
Thittakudi Police Station,
Cuddalore District.
2. Balamurugan ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records in connection with the First Information Report in Crime No.180 of 2025 dated 12.09.2025 on the file of the first respondent police and quash the same.

For Petitioners : Mr.S.Saravana Kumar
For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



ORDER

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The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.180 of 2025, pending on the file of the first respondent police.

2. The case of the prosecution is that on 10.09.2025, due to previous enmity, the accused abused the de facto complainant and his family members and assaulted them with an iron rod, causing injuries. It is further alleged that the accused outraged the modesty of the women in the de facto complainant's family. Hence, based on the complaint lodged by the second respondent/*de facto* complainant, the aforesaid case in Crime No.180 of 2025 was registered on 12.09.2025 for the offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 324 & 351(2) of BNS and Section 4 of the TN Prohibition of Harassment of Women Act, 2002.

3. Learned counsel appearing for the petitioners submitted that the petitioners are law students and that the de facto complainant and others misbehaved with the second petitioner and attempted to outrage her modesty. Therefore, a case in Crime No.178 of 2025 was registered for the offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 303(2),



351(2) and 75 of the BNS. He further submitted that only as a counterblast to the petitioners' complaint, the second respondent lodged a false complaint and that the first respondent police, without conducting a proper investigation, registered the present case. Hence, he prayed to quash the First Information Report as against the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the first respondent police submitted that the present case in Crime No.180 of 2025 was registered after obtaining a statement from the second respondent, who was admitted as an inpatient in Dhanalakshmi Srinivasan Hospital and that this is a case of case and counter.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. In view of the above, this Court, finding that this is a case of case and counter, without going into the merits of the case, directs the first respondent police to follow the procedure contemplated under PSO 566 and conduct the investigation in both cases and file the final report within a period of **three months** from the date of receipt of a copy of this order.



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

05.02.2026

Neutral Citation: Yes/No
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To

1. The Inspector of Police,
Thittakudi Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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05.02.2026