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CRL OP No. 6372 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6372 of 2026

Muthusiva
S/o.Sankar Narayanan,
No.1-1-59, Pillaiyar Kovi Street,
Sivaramapettai,
Tenkasi.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
F-3, Nungambakkam Police Station,
Chennai - 600 034.

..Respondent(s)

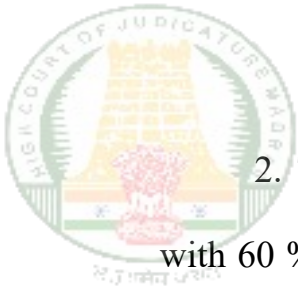
PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records in CC.No.1918 of 2025 on the file of the XIV Metropolitan Magistrate Court, Egmore and quash the charge sheet and pass such further or other orders.

For Petitioner(s): Ms.S.Shamini

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

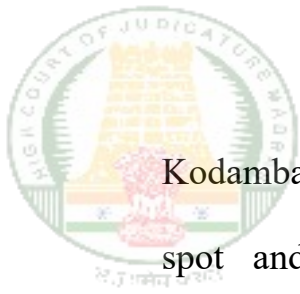
ORDER

The petitioner is an accused in C.C.No.1918 of 2025 for an offences under Sections 125 (a), 353 (1) and 351 (4) of BNS on the file of the XIV Metropolitan Magistrate Court, Egmore.



2. The contention of the petitioner is that he is a schizophrenia patient with 60 % of mental illness. He has been granted monthly aid of Rs.1,000/- by the Government of Tamil Nadu. While so, on 12.02.2025, he made a call to the police control room stating that a bomb had been placed at Nungambakkam Railway Station and other places in Chennai. Hence, a case in Crime No.73 of 2025 was registered and the petitioner was arrested, produced before the learned XVII Metropolitan Magistrate, Saidapet. Upon the direction of the XVII Metropolitan Magistrate, Saidapet, the petitioner underwent for medical examination and the medical report dated 28.02.2025 confirmed the petitioner's mental illness. In this case, to proceed and convict against the petitioner there must be *actus reus* and *mens rea* . As per the medical records, the petitioner is not in a good mental condition and hence prayed for quashing the C.C.No.1918 of 2025.

3. The learned Additional Public Prosecutor submitted that on 12.02.2025 the Sub Inspector of Police, Nungambakkam Police Station received a communication from the control room that there was a bomb threat at the Nungambakkam Railway Station from the petitioner. Based on the above information, the police personnel along with the Bomb Detection and Disposal Squad went to the place and conducted search. However, there is no evidence or material to show that the bomb was placed. Again on 13.02.2025 the petitioner made another call stating that there was a bomb planted at the



Kodambakkam Railway Station. Immediately, the BDDS team rushed to the spot and made a search for nearly two hours. The entire public at Nungambakkam and Kodambakkam were put under fear syndrome based on the information passed by the petitioner. Hence, the respondent police registered a case and thereafter on sustained investigation the petitioner was identified as a person who had called the control room and gave the false information. Thus, a case was registered, investigated and now charge sheeted, listing seven witnesses including a witness from the BDDS team.

4. Heard the rival submissions made on either side and perused the material records of the case.

5. Upon perusal of the materials, it is seen that the petitioner was arrested in this case. On his arrest, he was produced before the learned XVII Metropolitan Magistrate, Saidapet. Immediately, he was sent to the medical examination and admitted to the Institute of Mental Health, Kilpauk, where the petitioner was admitted as an in-patient, treated and finally it was confirmed that the petitioner was suffering with schizophrenia with 60 % of mental illness. Further, from the medical records, it is seen that the petitioner was suffering with the mental illness from the year 2022. The certificate of mental illness issued by the Tahsildar, Kadayanallur, enables the petitioner to receive a sum of Rs.1,000/-, till his life time, from the Government of Tamil Nadu. Thus, the



medical illness and sufferance not disputed.

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6. The case of the prosecution is that the petitioner had called the police control room and informed that there was a bomb planted at the railway stations. From the list of witnesses, it is seen that there is no evidence to show that the petitioner called the control room, the mobile phone used in this alleged occurrence not recovered. There is no evidence or materials to connect the petitioner to the phone calls which is an important link to connect the petitioner to the crime. Added to it, the petitioner is suffering from mental illness, which is not in dispute.

7. In view of the above, this Court finds that the proceedings in CC.No.1918 of 2025 on the file of the XIV Metropolitan Magistrate Court, Egmore, shall stand quashed and this Criminal Original Petition stands allowed.

09-04-2026

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To

1. The XIV Metropolitan Magistrate
XIV Metropolitan Magistrate Court, Egmore.

2. The Inspector of Police
F-3, Nungambakkam Police Station,
Chennai - 600 034.



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M.NIRMAL KUMAR, J.

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