



WEB COPY

CRL OP No. 6804 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 6804 of 2026
and Crl.M.P.No.4962 of 2026**

1. Mithun Kumar
S/o.Suresh Das,
Residing at,
46, Ramaswamy Street,
Mannadi, Chennai – 600001.

2. Ravikant Kumar
S/o.Mithlesh Saw,
Presently Residing at,
46, Ramaswamy Street,
Mannadi, Chennai - 600001.

..Petitioner(s)

Vs

1. State of Tamil Nadu Rep. by,
The Inspector of Police,
B-2, Esplanade Police Station,
Chennai - 600 001.

2. Abdul Rassik
S/o.John Mohammad,
No.45/4, St.Xavier Street,
Seven Wells, Chennai - 600 001.
Crime No.14 of 2026

..Respondent(s)

PRAYER – This Criminal Original Petition is filed under Section 528 of BNSS, to call for Records in Crime No.14 of 2026 on the file of the Inspector of Police, B-2 Esplanade Police Station and Quash the same.

For Petitioner(s): Mr. Arun P.

For Respondent(s): Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor (For R1)



ORDER

The petitioners, accused in Crime No.14 of 2026 for offence under Sections 296(b), 115(2), 118(1), 351(3) of BNSS, 2023, filed this quash application.

2.The petitioners are A1 and A2. Learned counsel for the petitioners submitted that the petitioners are not named accused in this case. The case projected against the petitioners is that on 26.01.2026, an information was received from the Stanley Government Hospital that the de-facto complainant was attacked, injured and was taking treatment. Thereafter, the respondents had gone there and received the complaint. From the complaint, it is seen that the de-facto complainant had gone with his friends on 25.01.2026 at about 8.30 p.m and were sitting in Priya Chat shop and having their chat items. At that time, there was a quarrel and the de-facto complainant and his friends had intervened. The petitioners who are running the Chat shop used the Chapathi Chadar and attacked the de-facto complainant and others. The de-facto complainant got severely injured and taking treatment.

3.The contention of the petitioners is that the petitioners are North Indians who are running a small Chat shop. In their Chat shop they don't make any Chapathi. Hence, the weapon which has been projected as though used by the



petitioners to attack is not available with them in their shop. He further submitted that it was the de-facto complainant and his friends who had come to the shop, created trouble and they were having fight with others. The petitioners have nothing to do with the fight of the de-facto complainant and others and they have falsely been impleaded.

4.Mr.Leonard Arul Joseph Selvam, learned Additional Public Prosecutor, who takes notice for the 1st respondent, submitted that the complaint of the petitioners will be considered by the prosecution. The de-facto complainant an injured person, clearly stated about the incident and also how he was attacked. The de-facto complainant and his friends identified the petitioners and their statements recorded. Investigation is in progress and FIR registered only on 27.01.2026, which is less than two months. In any event, the petitioners' contention will be considered during investigation and final report would be filed within a period of three months.

5.Recording the same, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

17-03-2026

Index: Yes/No
GSA



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M.NIRMAL KUMAR, J.

GSA

To

1. State of Tamil Nadu Rep. by,
The Inspector of Police,
B-2, Esplanade Police Station,
Chennai - 600 001.
3. The Public Prosecutor,
Madras High Court.

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