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CRL OP No. 14092 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14092 of 2026

and

CRL.MP.No.8998 of 2026

1. Alagappan @ Muniappan

2. Poovazhagan

..Petitioner(s)

Vs

1. State

Rep. by The Station House Officer

Grand Bazar Police Station,

Puducherry 605 001.

2. Devanayagi

..Respondent(s)

To call for the records relating to the FIR No.116/2025 dated 25.05.2025 on the file of the 1st respondent and quash the same and to pass such further or other order or orders that this Honble Court may deem fit and proper to the facts and circumstances of the case.



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For Petitioner(s):

M/S.T.M.Naveen

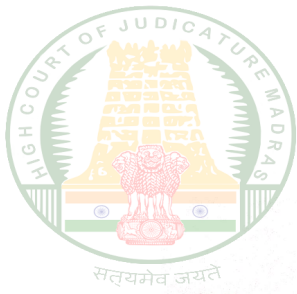
For Respondent(s):

Mr.V.Ramachandra Murthy,
Public Prosecutor (Puducherry), for R1

ORDER

The petitioner, who is the accused in Crime No.116 of 2025 for the offence punishable under Sections 296(b), 351(2) and 3(5) BNS, 2023, has filed this Criminal Original Petition to quash the proceedings.

2. The learned Public Prosecutor (Puducherry) today produced the final report, and submitted that the case has been closed as a “Mistake of Fact”. The relevant portion of the same is extracted hereunder:



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FINAL FORM / REPORT
(Under Section 193 BNSS)**IN THE COURT OF THE HON'BLE CHIEF JUDICIAL MAGISTRATE, PUDUCHERY**

1. District: Puducherry, PS: **Grand Bazaar**, Year: 2025 FIR No: 116/25 Date: 25.05.2025
2. Final Report No : **58/2025**
3. Date : **20.04.2025-**
4. Act: Indian Penal Code : **296 (b), 351(2) BNS r/w 3(5) BNS -2023**
5. Type of Final Form / Report : **Final Report**
6. If F.R Un occurred : **Nil**
7. If Final Report Original : **Original**
8. Name of the I.O. : **D.Murugan, SI of Police, GBPS, Pdy.**
9. a) Name of the Complainant : **Devanayaki(38), D/o Kalaiselvam. W/o Selvakumaran, No. 1, 20th Cross Street, Lawspet, Puducherry .**
- b) Father's/Husband's name : **Sridhar**

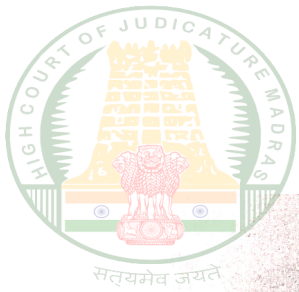
10. Details of properties/ Article. / Documents recovered/ seized during investigation and relied upon (Separate list can be attached, if necessary)

Sl. No.	Property Description	Estimated Value	P.S Property Register No	From whom/where Recovered or seized	Disposal
-Nil-					

11. Particulars of accused persons charge-sheeted:

(Use separate sheet for each accused)

- (i) Name : whether verified: **Yes**
- (ii) Father's Name: :
- (iii) Age :
- (iv) Sex: : **Male**
- (v) Nationality : **Indian**
- (vi) Passport No: / **Nil** Date of Issue: **Nil** Place of Issue: **Nil**
- (vii) Religion : **Hindu** whether SC/ST/OBC:
- (ix) Occupation: : **Business**
- (x) Address : whether verified :
- (xi) Provisional Criminal No: **Nil**
- (xii) Regular Criminal No **Nil**
- (xiii) Date of Arrest : -
- (xiv) Date of Release on bail:
- (xv) Date on which forwarded to court: -
- (xvi) Under Acts & Sections: -
- (xvii) Name(s) of bailers/sureties and Address(es):
- (xviii) Previous convictions with case references: **Nil**
- (xix) Status of the Accused: Forwarded/ Bailed by Police/Bailed By Court/In Judicial custody/Proclaimed Offender:



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16. Brief Facts of the case:

FINAL REPORT

I have the honour to submit before this Hon'ble court, that on 25.05.2025 at 16.26 hrs, while, SGSI Vinayagamurthy was in Station, one Devanayagi(38), D/o Kalaiselvam. W/o Selvakumaran, No. 1, 20th Cross Street, Lawspet, Puducherry came to PS and lodged a complaint. In which he has stated that on 25.05.2025 at about 09.30 hrs near Angalamman Temple, S.S Pillai Street, Puducherry, the accused person Azhagappan @ Muniyappan of Pakkamudaiyanpet Main Road, Lawspet, Puducherry and 3 others had infurtherence of common intention, abused the complainant with filthy language and threatened her with dire consequences due to civil dispute. Based on the complaint a case in Cr.No. 116/2025 U/s 296(b), 351(2) BNS r/w 3(5) BNS-2023 was registered at Grand Bazaar PS, Puducherry and taken up for investigation.

During the course of investigation, place of occurrence was visited. Crime Details Form was prepared in the presence of two independent witnesses. Witnesses were examined and recorded their statements. CCTV footage was collected from Sri Angala Parameswari Temple, S.S.Pillai Street, Puducherry with the assistance of CCTV Technician and verified. Likewise the call details for the SIM bearing No. 9566766633 used by the complainant Tmt. Devanayagi and 9894390485 used by the accused Poovazhagan were collected from the Cell phone providers and verified. On scrutinizing of CCTV footage, it was ascertained that the complainant as well as accused persons were not come to the SOC as stated by the complainant. Besides both the Cell phone Towers of the complainant as well as accused person does not matches with the location. From the testimony of the witnesses statements and on scrutinizing the CCTV Footage and Cell phone Tower location of the complainant, it revealed that no incident as alleged by the complainant of Tmt. Devanayagi had occurred at the alleged place on the alleged day of the incident and no independent witnesses corroborated the criminal charges alleged in the complaint. Hence I served RCS notice to the complainant and referred this case as **Mistake of Fact**.

Therefore I pray before this Hon'ble Court that necessary slip proceedings may kindly be issued treating this case as **Mistake of Fact**.

17. RCS Notice served: Yes Date:

18. Dispatched on

Signature of the Investigating Officer
forwarding the Charge sheetSignature of the Investigating Officer
Submitting the Charge sheet

Name: D.MURUGAN,

Rank: SUB-INSPECTOR OF POLICE,

GRAND BAZAAR PS, PUDUCHERRY.

SUB-INSPECTOR OF POLICE**GRAND BAZAAR POLICE STATION
PUDUCHERRY.**



3. In view of the above submission, nothing survives for consideration in this petition. Accordingly, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

04-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To

1. The Chief Judicial Magistrate, Puducherry.
2. The Station House Officer
Grand Bazar Police Station,
Puducherry 605 001.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

PVS

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