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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.03.2026

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

CRL.P(MD)No.6274 of 2026
and
CRL.M.P(MD)No.6802 of 2026

1.Mithun Chakravarthi

2.V.P.Ammavasai ... Petitioners/ Accused No.10 and 11

.Vs.

1.The State of Tamil Nadu,
represented by
The Inspector of Police,
Palanichetty patti Police Station,
Theni District.
(Crime No.88 of 2026)

...Ist Respondent/Complainant

2.Prabakar

...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 528 of BNSS,2023, praying this Court to call for the records pertaining to Crime No.88 of 2026, on the file of first respondent Police and quash the same as against the Petitioners are concerned.



For Petitioners : Mr.G.Karnan
for M/s.A.Banumathy

For Respondent-1 : Mr.B.Thanga Aravindh
Govt. Advocate(Crl.side)

ORDER

The present Petition has been filed by the accused persons in Crime No.88 of 2026, on the file of the first respondent-Police seeking to quash the FIR, wherein, the Petitioners are alleged to have committed the offence under Sections 191(2),191(3),49, 296(b) and 351(3) of BNSS,2023.

2.A perusal of the FIR reveals that the de-facto complainant was abused and threatened over phone by the Petitioners and they have also attempted to attack him. According to the defacto complainant, all these happened at the instigation of the petitioners herein. In the FIR, it is further stated that the defacto complainant is having the copies of audio and video records.

3.The learned counsel for the Petitioners submitted that merely because the name of the Petitioners is shown to have been added at the instigation of other persons, they cannot be implicated in the criminal proceedings. This is purely a case filed with a political motive and first respondent Police may be



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directed to investigate the matter and file a counter before this Court which would clearly exonerate the Petitioners from the offence.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. According to the learned counsel for the Petitioners, it is a politically motivated case and unless the respondent Police is directed to file counter before this Court, truth will not come out. This Court is not inclined to accept the said submission. A perusal of the FIR reveals that prima facie case is made out as against the Petitioners. It is for the Investigation Agency to find out whether the offence had taken place at the instigation of the Petitioners or it was done by the other accused persons. Hence quashing of the FIR could not be ordered at this stage. It is for the Investigation Agency to investigate the matter and file a final report before the Jurisdictional Magistrate

6. Considering the above said facts, the Investigation agency is directed to conduct the investigation and file a final report before the concerned Jurisdictional Court within a period of two months from the date of receipt of a copy of this order.



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30.03.2026

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

The Inspector of Police,
Palanichetty patti Police Station,
Theni District.
(Crime No.88 of 2026)

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR.,J.

vsn

ORDER MADE IN

CRL.P(MD)No.6274 of 2026
and
CRL.M.P(MD)No.6802 of 2026



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