



CRL OP(MD). No.7156 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10.04.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL OP(MD)No.7156 of 2026
and CrI.M.P.(MD)No.7723 of 2026

Karuppasamy

... Petitioner

Vs

1. State of Tamilnadu rep by
The Inspector of Police,
Atchanpudur Police Station,
Tenkasi District.

2. Thirumalaiselvi

... Respondents

Petition filed under Section 528 BNSS to call for the records relating to the FIR in Crime No. 60 of 2026 on the file of the respondent police and quash the same as illegal as against the petitioner.

For Petitioner : Mr.T.Chandrasekaran
For R1 : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

ORDER

The petitioner is the 3rd accused in Crime No.60 of 2026 on the file of the respondent Police registered for the offence under Sections 126(2),



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296(b), 118(1), 351(3) of BNSS 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002. He has filed this petition seeking to quash the FIR in Crime No. 60 of 2026 registered against him.

2. The case of the prosecution is that on 13.02.2026, a wordy quarrel arose between the defacto complainant's son-in-law and the 1st accused during the temple festival. Due to this motive, on 14.02.2026 at about 4.00 a.m., when the defacto complainant went along with her son-in-law and daughter in a two-wheeler, the 1st accused waylaid and grabbed the defacto complainant's saree from backside of the two-wheeler and pulled her down to earth. When the defacto complainant's son-in-law tried to stop him, he abused him in filthy language and attacked with a stick on his hand and caused head injury. While so, the petitioner/3rd accused and 2nd accused came to the spot and abused them in filthy language and pelted stones and threatened them with dire consequences. Hence, the case.



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3. According to the petitioner, he was not at all present in the place of occurrence at the time of occurrence, however, in order to implicate him as an accused, the defacto complainant foisted this case as if he was present in the scene of occurrence along with other accused and also assaulted them.

4. The learned counsel for the petitioner submits that the petitioner has collected the CCTV footage from the place of occurrence and he has also placed the same before the respondent police and explained that he was not at all available in the place of occurrence. However, the respondent Police has not considered the same and has proceeded with in a mechanical manner based on the fake complaint lodged by the defacto complainant.

5. The learned Government Advocate (Crl. Side) submits that the petitioner is the 3rd accused and there is a specific overt act as against the petitioner. According to him, the petitioner has not placed the CCTV



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footage to the respondent Police. If the petitioner is having any CCTV footage, he may produce the same before the investigating officer. On production of the CCTV footage, they would consider the same and would take appropriate action.

6. This Court considered the rival submissions made.

7. The petitioner has been added as an accused based on the written complaint of the defacto complainant/second respondent herein. As per the complaint, the petitioner was also present in the scene of occurrence on 14.02.2026 and assaulted the defacto complainant with a stone.

8. The petitioner firmly states that he was not present in the scene of occurrence. According to him, he has also collected the CCTV footage from the place of occurrence. The learned counsel, who is representing the case, is not aware of the manner in which the petitioner has collected the CCTV footage. It is in fact the duty of the respondent



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Police to find out as to whether there is any CCTV available nearby the place of occurrence. However, the investigations are done in the police station itself by just copying and pasting the complaint in the name of some witnesses. Parrot like statement in all the statements recorded under Section 161(3) Cr.P.C. exposed the manner in which the police are conducting the investigation. There are provisions under the Code of Criminal Procedure as well as under BNSS for taking videograph. In the event, if the investigation officer visited the place of occurrence, then, he could have found out as to whether there is any CCTV camera available in the place of occurrence as claimed by the petitioner. Unfortunately, most of the observation mahazars and sketches are prepared by the Constables, without even visiting the place of occurrence.

9. Since this petitioner firmly claims that he is having a CCTV footage from the place of occurrence and he was not at all present in the place of occurrence and the said fact has not been appreciated by the respondent police even after the production of the CCTV footage, this Court permits the petitioner to produce the CCTV footage to the



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Superintendent of Police, Tenkasi. The Superintendent of Police, Tenkasi, shall verify the same and in the event, if the respondent police has acted in improper/arbitrary manner, without considering the material evidence placed by the petitioner, then, the Superintendent of Police shall take cognizance of this issue and transfer the investigation, if it is necessary and shall ensure that the investigation is conducted by an appropriate investigation officer in a fair and proper manner.

10. With this above direction, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.



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To

1. The Inspector of Police,
Atchanpudur Police Station,
Tenkasi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

3. The Superintendent of Police,
Tenkasi.



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B.PUGALENDHI, J.

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