



Crl.O.P(MD)No.79 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2026

CORAM

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P(MD)No.79 of 2026

and

Crl.M.P(MD)No.114 of 2026

C.Sivanraj @ Sivan Raja

... Petitioner/A2

**Vs.**

1.The State of Tamil Nadu,  
Rep.by the Inspector of Police,  
Arumuganeri Police Station,  
Thoothukudi District.  
(Crime No.434/2025)

... Respondent/Complainant

2.R.Mariappan

... Respondent/Defacto Complainant

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in FIR in Crime No.434/2025 on the file of the 1<sup>st</sup> respondent and quash the same in respect of the Petitioner.

For Petitioner : Mr.D.S.Haroon Rasheed

For R1 : Mr.B.Thanga Aravindh  
Government Advocate(Crl.Side)



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## **ORDER**

Seeking quashment of F.I.R in Crime No.434 of 2025, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that F.I.R in Crime No.434 of 2025 came to be registered as against A1 and the petitioner for the offence under Section 303(2) of BNS. The case of the prosecution is that on 06.12.2025 at about 6:00 a.m., on the information of the *defacto* complainant, the police had intercepted the 1<sup>st</sup> accused along with the petitioner, in a vehicle in which one unit of river sand was found without having any valid licence for transporting the same. However, the learned counsel for the petitioner pointed out that the petitioner is neither the driver nor the owner of the said vehicle and he was also not available in the said place itself. He has been falsely implicated in the said case and sought the indulgence of this Court and quash the F.I.R.



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3. Per contra, the learned Government Advocate(Crl.Side) submitted that if the submission made by the learned counsel for the petitioner is true, at the time of investigation, he will be fairly deleted from the crime. He also pointed out that from the careful reading of the F.I.R, it could be understood that the petitioner was very much available in the vehicle when the police intercepted the said vehicle and it was only after seeing the police, the petitioner along with the other accused had escaped from the spot.

4. Heard the learned counsel on either side and perused the materials available on record.

5. In view of the submission made by the learned counsel for the petitioner, it is understood that already a representation, dated 13.12.2025 as to the innocence of the petitioner has already been given by the petitioner to the respondent Police. The respondent police is directed to consider the representation, dated 13.2.2025 and proceed



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with the investigation in the matter known to law and take appropriate steps to delete the name of the petitioner, if he is found innocent.

6. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

**06.01.2026**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No  
gbg

To

- 1.The Inspector of Police,  
Arumuganeri Police Station,  
Thoothukudi District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI, J.**

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**06.01.2026**