

Crl.O.P.No.18305 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 14.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.18305 of 2026
and Crl.M.P.Nos.12193 and 12194 of 2026

Mugilan

.. Petitioner

Versus

1. The State

Rep by the Sub Inspector of Police,
Tambaram Police Station,
Tambaram District.

2. Haridoss S

.. Respondents

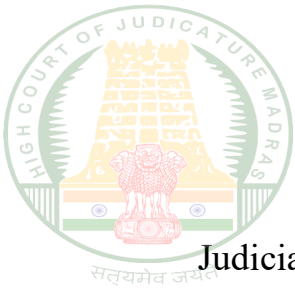
Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records in C.C.No.742 of 2025 on the file of the learned Judicial Magistrate No.I, Tambaram and quash the same against the petitioner/accused.

For Petitioner : Mr.A.R.Lakshmi Narayanan

For Respondents : Mr.M.Mohamed Riyaz,
Government Advocate (Criminal Side),
for R1

ORDER

The prayer in the Criminal Original Petition is to quash the proceedings in C.C.No.742 of 2025 pending on the file of the learned



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Judicial Magistrate No.I, Tambaram.

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2. Upon perusal of the First Information Report, the material collected during investigation and the Final Report, the allegations against the petitioner is that on 15.05.2025, at about 22.45 P.M, the petitioner and others were standing in a group at a junction of Kulakarai II Cross Street. While so, when the de facto complainant, being the Police on rounds, confronted the persons as to why they are standing there in the night time, the accused had replied by saying that why he should not stand there and abused the de facto complainant in a filthy language and he is also said to have pushed the de facto complainant.

3. Learned Counsel for the petitioner would submit that apart from the merits of the case, the petitioner has also filed an affidavit tendering unconditional apology if he had committed any mistake. The petitioner is said to be aged 21 years and is pursuing Aeronautical Engineering course.

4. Per *contra*, the learned Government Advocate (Criminal Side) for the first respondent would submit that when the petitioner interfered



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with the public servant doing duty and threatened the Police, the case has been registered and the Final Report is now filed complaining the offences under Sections 126(2), 296(b), 132 and 351(3) of B.N.S, 2023.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. Firstly, it can be seen that in this case, there are totally eight witnesses. The eighth witness is only the Investigating Officer. *L.W.4* to *L.W.7* are the observation mahazar and confession statement witnesses. *L.W.1* is the de facto complainant and *L.W.2* and *L.W.3* are said to be the eye witnesses. Even as per the statements made in the First Information Report and in the statements recorded during the investigation, it can be seen that upon being questioned, the accused had replied recklessly and the incident had happened. It can be seen that no allegations are made for use of any criminal force or trying to assault the de facto complainant. The same is the first factor that is borne in mind. Secondly, while giving the complaint, it is not stated that all the three Policemen went together. However, only two other Policemen are now added as if they witnessed the incident. Further, it can be seen that neither the other persons, who are



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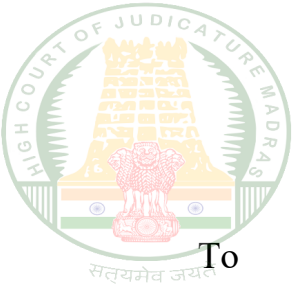
said to have been in conversation with the petitioner, were added as accused nor they were examined as witnesses. Therefore, prima facie, the exercise that is made would only be a futile exercise and no meaningful trial can happen. The act of the accused also does not disclose the offence as pointed out by the prosecution.

7. Further, upon the query made by this Court, even if there is any altercation with the Police on duty, the petitioner has filed an affidavit unconditionally apologising the Policemen on duty. For all the above reasons, I am of the view that the prosecution against the petitioner need not be continued.

8. In view thereof, this Criminal Original Petition stands allowed. The Final Report in C.C.No.742 of 2025 pending on the file of the learned Judicial Magistrate No.I, Tambaram shall stand quashed. Consequently, connected miscellaneous petitions are closed.

14.07.2026

Neutral Citation : no
grs



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To

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1. The Judicial Magistrate No.I,
Tambaram.
2. The Sub Inspector of Police,
Tambaram Police Station,
Tambaram District.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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