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CRL OP No. 2179 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 2179 of 2026
and Crl.M.P.No.1456 of 2026**

Vasudevan

..Petitioner(s)

Vs

1. State Rep By
Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai District.
Crime No.431/2018

2. Ramakrishnan

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S./Section 482 of Cr.P.C., to call for the records relating to the FIR in Crime No.431/2018 on the file of first Respondent and quash the same.

For Petitioner(s): Mr.T.Balaji

For Respondent(s): Mr.K.M.D.Muhilan
Addl. Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.431 of 2018 pending on the file of the first respondent.



2. The case of the prosecution as per the de facto complainant/ Ramakrishnan, who is the Sub-Inspector of Police is that on 22.08.2018, while he along with his team, was on routine patrol duty to maintain law and order, they noticed one Ashwin kumar, S/o. Edwin, under suspicious circumstances. When they attempted to question the said Ashwin Kumar, he attempted to flee and was apprehended. Suspecting that he was involved in illegal activities, the first respondent Police arrested him and registered a case in Crime No.431 of 2018 for the offence punishable under Section 41(ii) of Cr.P.C. @ Section 399 of IPC.

3. The learned counsel for the petitioner submitted that the petitioner who is the practicing advocate, is innocent and that he had earlier appeared for some of the accused in the case. He further submitted that the first respondent Police, based solely on an alleged confession statement said to have been recorded from another arrested accused in the case, implicated the petitioner. Thereafter, the petitioner was arrested and subsequently, released on bail. He further contended that apart from the alleged confession statement recorded from the co-accused, there is no other material to show that the petitioner was involved along with the other accused or had attempted to indulge in any illegal activities. He also submitted that the entire proceedings against the petitioner amounts to an abuse of process of law, no independent witnesses have been



examined by the first respondent and that all the witnesses cited are official witnesses.

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4. The learned Additional Public Prosecutor appearing for the first respondent submitted that the said Ashwin Kumar was found in suspicious circumstances and apprehending that he would indulge in illegal activities, the first respondent arrested him. Based on the confession statement recorded from the said Ashwin kumar, the petitioner was also arrested. The said Ashwin Kumar confessed that he, along with the other accused, had planned to commit illegal activities. He further submitted that the investigation has been completed and the final report has been e-filed.

5. This Court called for the copy of the final report from the first respondent and perused the materials available on record.

6. Upon perusal of the materials available on record, it is seen that except for the confession statement alleged to have been recorded from the co-accused, there is no other material. Further, all the witnesses cited in the final report are official witnesses. Though it cannot be a ground for quashing the proceedings, insofar as the evidence is concerned, apart from the confession statement of the co-accused, there is no other material against the petitioner. Ergo, this Court finds that continuation of further proceedings against the



petitioner would amount to an abuse of process of law. Accordingly, the proceedings in Crime No.431 of 2018 is quashed in respect of the petitioner and as a sequel, this Criminal Original Petition stands allowed.

05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

1.The Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai District.

2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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