

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**Crl.O.P.No.9406 of 2026
and Crl.M.P.Nos.6649 and 6650 of 2026**

Tamilselvi

.. Petitioner

Versus

**1. Inspector of Police,
District Crime Branch,
Kancheepuram Branch.
Crime No.64 of 2018.**

2. N.Thenmozhi

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for records pertaining to the impugned proceedings / chargesheet under C.C.No.186 of 2020 pending on the file of the learned Judicial Magistrate No.I, Kancheepuram and quash the same

For Petitioner : Mr.V.Purushothaman Reddy

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

ORDER

This Criminal Original Petition is filed to quash the chargesheet in C.C.No.186 of 2020 pending on the file of the learned Judicial Magistrate No.I, Kancheepuram.

2. The learned Counsel for the petitioner would submit that the criminal case arises out of transactions between the family members, that too from the year 2004 onwards and as such, the Police ought not to have filed a Final Report and there is no material with reference to the petitioner. As far as the expert report is concerned, the same is made only by comparing with the photocopies and cannot have any value.

3. The learned Government Advocate (Crl. Side) for the first respondent would submit that the case also involves an allegation of impersonation before the Sub-Registrar in executing the document and therefore, there are materials to proceed further with the trial.

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

5. Since there is an allegation of impersonation, this is not a case where it can be said that there is no material at all. The contention of the learned Counsel for the petitioner goes into the nitty gritty of the expert evidence etc., which can be gone into only at the time of trial.

6. Keeping open the liberty of the petitioner to raise all these grounds during the course of the trial, the prayer made in the Criminal Original Petition cannot be countenanced and as such, this Criminal Original Petition stands disposed of. At this stage, since the learned Counsel for the petitioner submits that the petitioner is aged about 55 years and pleads hardship in attending all hearings, the presence of the petitioner before the Trial Court stands dispensed with, except for those hearings which the Trial Court specifically insist upon. Consequently, Crl.M.P.No.6649 of 2026, filed for grant of stay of all further proceedings in C.C.No.186 of 2020 on the file of the learned Judicial Magistrate No.I, Kancheepuram, is closed.

03.07.2026

Neutral Citation : no
grs

To

1. The Judicial Magistrate No.I,
Kancheepuram.
2. The Inspector of Police,
District Crime Branch,
Kancheepuram Branch.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.9406 of 2026

D.BHARATHA CHAKRAVARTHY, J.

grs

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