



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 16373 of 2026

and

CrI.M.P.Nos.10806 and 10808 of 2026

Karthik

..Petitioner(s)

Vs

1. The State rep.by
The Inspector of Police,
R-7 K.K.nagar Police Station,
Chennai.
Cr.No.224 of 2024.

2. Vaithiyanathan

..Respondent(s)

PRAYER :To call for the records in CC.No.784 of 2025 pending on the file of the learned Metropolitan Magistrate, Egmore, Chennai arising out of Cr.No.224 of 2024 on the file of the first respondent police and quash the proceedings in so far as the petitioner/A2 is concerned, as the continuation of the prosecution against the petitioner would amount to abuse of the process of court and miscarriage of justice.

For Petitioner(s):

Mr.P.Venkatesan

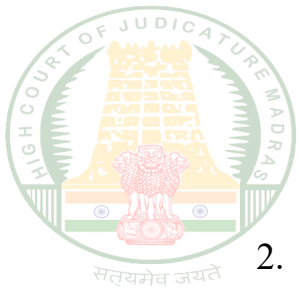
For Respondent(s):

Mr.M.Mohamed Riyaz,

Government Advocate (CrI.Side) For R1

ORDER

This Criminal Original Petition is filed to quash the records in C.C.No.784 of 2025 pending on the file of the Metropolitan Magistrate, Egmore, Chennai, in Cr. No.224 of 2024 on the file of the first respondent.



2. The final report is liable to be quashed as there is no specific material linking the petitioner to the alleged offense. The prosecution has confused the petitioner with another accused individual, Muthuraman alias Karthik. The inclusion of the petitioner's name is a clear case of mistaken identity, as the case actually involves a separate individual named Karthik.

3. The learned Government Advocate (Crl. Side) pointed out the materials available in the record and submitted that, upon a perusal of the FIR, it is alleged that both individuals named Karthik threw bottles at the windshield and damaged the panes.

4. Further, according to Section 164 Cr.P.C., statements were recorded, and it is clear that at least two of the witnesses have specifically mentioned the petitioner's name also that he specifically threw bottles and smashed the window panes.

5. The learned counsel for the petitioner submitted that this case has arouse out of political vendetta and the name was wrongly and mistakenly included and sought quashing of this application.



6. The learned Government Advocate (Crl.Side) submitted that for the past ten months, the P.W1 has not appeared before the trial Court for letting evidence.

7. Considering the above submissions, as stated by the learned Government Advocate (Crl.Side), the question of mistaken identity shall be appropriately considered by the trial court, if stated during the trial. It is open for the petitioner to raise all these grounds during the trial and the presence of the petitioner, stands dispensed with before the trial court except for such necessary hearings as the trial court may insist.

8. Accordingly, this Criminal Original Petition is disposed of.
Connected M.Ps are closed.

29-06-2026

VCA

To,

1. The Inspector of Police,
R-7 K.K.nagar Police Station,
Chennai.

2. The Metropolitan Magistrate, Egmore
Chennai.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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D.BHARATHA CHAKRAVARTHY, J.

VCA

**CRL OP No. 16373 of 2026
and
Crl.M.P.Nos.10806 and 10808 of 2026**

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