



Crl.O.P.No.3415 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.3415 of 2025
and Crl.M.P.No.2254 of 2025

V.S.Nithish Kanna

... Petitioner

Vs

1. State represented by
The Sub Inspector of Police,
Ranipet Police Station,
Ranipet.
Crime No.485 of 2023.

2. Ravi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records with regard to final report filed in STC.No.473 of 2024 on the file of District Munsif cum Judicial Magistrate Court, Ranipet and set aside the same and consequently transfer the investigation in Crime No.485 of 2023 from the first respondent police to any other investigating agent for further investigation and to file final report afresh.

For Petitioner : Mr.C.Sivakumar

For R1 : Mr.R.Vinothraja
Government Advocate (Crl.side)



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ORDER

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This petition has been filed challenging the charge sheet in STC.No.473 of 2024 on the file of District Munsif cum Judicial Magistrate Court, Ranipet, to quash the same and consequently transfer the investigation in Crime No.485 of 2023 from the first respondent police to any other investigating agent.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first respondent and perused the materials available on record.

3. On the complaint lodged by the second respondent, the case has been registered by the first respondent in Crime No.485 of 2023 for the offences punishable under Sections 279 and 337 of IPC alleging that when the second respondent had driven his car bearing registration No.TN 10 BJ 1444, Audi Q3, proceeded towards Ranipet from north side to south side and while proceeding to Chettithangal to Ranipet road, a two wheeler bearing No.TN 73 AC 5593, Pulsar, proceed from South to North, came in a rash and negligent manner, hit the car on its front right side and injured himself and damaged the car. Hence, the complaint.



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4. After completion of investigation, the first respondent filed a final report and the same has been taken cognizance by the Trial Court in STC.No.473 of 2024 for the offence punishable under Section 279 of IPC.

5. The learned counsel for the petitioner would submit that the first respondent completed the investigation only from hear say witness and the first respondent did not properly investigate the matter and file a final report. Therefore, there are eye witnesses to the occurrence and without examining them, the first respondent filed a final report.

6. Now, the investigation has been completed and filed a final report and the same has been taken cognizance by the Trial Court. At this stage, further investigation cannot be ordered. The petitioner can very well disprove the case of the prosecution by examining the witnesses before the Trial Court who had allegedly seen the occurrence.

7. In view of the above, this Court finds no grounds to quash the entire proceedings in STC.No.473 of 2024 on the file of the District Munsif cum Judicial Magistrate Court, Ranipet.



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8. Hence, this Criminal Original petition is dismissed. Consequently,
connected Miscellaneous petition is closed.

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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To

1. The District Munsif cum Judicial Magistrate Court,
Ranipet.
2. The Sub Inspector of Police,
Ranipet Police Station,
Ranipet.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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