



Crl.O.P.No. 4426 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

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

Crl.O.P.No. 4426 of 2025

and

Crl.M.P.Nos.2796 & 2798 of 2025

K.Dharamarajan

.... Petitioner

Vs

1.State Rep.By,
The Inspector Of Police,
Kanchi Taluk Police Station,
Kancheepuram District.

2.M. Babu Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records concerned in charge sheet in C.C.No.239 of 2022 on the file of Judicial Magistrate II, Kancheepuram, Kancheepuram District and quash the same.

For Petitioner : Ms.R.Hemalatha

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.239 of 2022 pending on the file of the Judicial Magistrate No.II, Kancheepuram, thereby taken cognizance for



Crl.O.P.No. 4426 of 2025

the offences under Sections 379 and 34 of IPC.

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

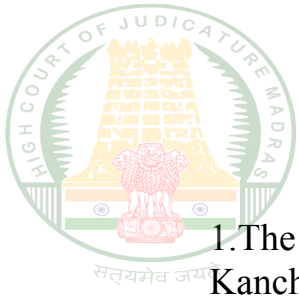
3. It is seen from the records that the trial has already commenced and P.Ws 1 to 4 had examined by the prosecution. That apart, the petitioner has never appeared before the Trial Court and as such, the Trial Court issued Non-Bailable Warrant as against the petitioner, which is still pending.

4. In view of the above, the petitioner is not entitled to seek quashing of the proceedings in C.C.No.239 of 2022, when a Non-Bailable Warrant is pending as against him and the trial is already in progress. Therefore, this Criminal Original Petition is devoid of merits and is liable to be dismissed. Accordingly, this Criminal Original Petition stands dismissed.

19.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To



CrI.O.P.No. 4426 of 2025

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1.The Judicial Magistrate II,
Kancheepuram, Kancheepuram District

2.The Inspector Of Police,
Kanchi Taluk Police Station,
Kancheepuram District.

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



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Crl.O.P.No. 4426 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No. 4426 of 2025

19.02.2025