



Crl.O.P.Nos.10016 & 10024 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2025

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. Nos.10016 & 10024 of 2025

and

Crl. M.P. Nos. 6628, 6630, 6633 & 6634 of 2025

In Crl.OP.No.10016 of 2025:

M. Karthik

... Petitioner

Versus

1.State Rep. By,
The Inspector of Police,
K-4, Anna Nagar Police Station,
Anna Nagar, Chennai – 600 040.
(Crime No.636 of 2021)

2. Greeshma Rai

... Respondents

In Crl.OP.No.10024 of 2025:

1. M. Karthik
2. Vaithyanathan

... Petitioners

Versus

1.State Rep. By,
The Inspector of Police,
K-4, Anna Nagar Police Station,
Anna Nagar, Chennai – 600 040.
(Crime No.638 of 2021)

2. Dr. J. Hari Haran

... Respondents



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PRAYER in Crl. O.P. No.10016 of 2025: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the charge sheet in C.C.No.1123 of 2022 in Crime No.636 of 2021 on the file of the V-Metropolitan Magistrate, at Egmore as it is *exfacie* illegal, abuse of process, miscarriage of justice, besides being liable to quash on the ground of innocence and also purely civil nature and abuse of process of law.

PRAYER in Crl. O.P. No.10024 of 2025: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash the charge sheet in C.C.No.689 of 2022 on the file of the V-Metropolitan Magistrate, at Egmore as it is *exfacie* illegal, abuse of process, miscarriage of justice, besides being liable to quash on the ground of innocence and also purely civil nature and abuse of process of law.

In both cases:

For Petitioner(s) : Mr. D.S. Ramesh

For Respondents : Mr. R. Vinothraja (for R1)
Government Advocate (Criminal Side)



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COMMON ORDER

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The Criminal Original Petitions have been filed to quash the proceedings in C.C.Nos.1123 and 689 of 2022 pending on the file of the V-Metropolitan Magistrate at Egmore, as against the petitioners.

2. The brief facts of the cases are as follows:

(i) In Crl.O.P.No.10016 of 2025, the petitioner allegedly followed the second respondent/defacto complainant in his car, spoke to her with the intention of outraging her modesty, took photographs without her permission, demanded sexual favours and threatened her. Immediately, she had taken a photo of his car and warned him that if he followed her again, she would lodge a complaint with the police. Due to the impact of this incident, the defacto complainant had got mental agony and also got scared on the act of the petitioner, and therefore, lodged a complaint. Based on the complaint, the first respondent registered a case in Crime No.636 of 2022 for the offence under Sections 354, 354(A) and 506(ii) of the Indian Penal Code (IPC), 1860, and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002. Thereafter, the petitioner was arrested and remanded for two weeks, and later released on bail. After



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investigation, a final report was filed and the case was taken on file in C.C.No.1123 of 2022 before the V-Metropolitan Magistrate at Egmore;

(ii) In Crl.O.P.No.10024 of 2025, on 26.07.2021 at about 04:45 A.M., the petitioners allegedly threw stones at the entrance glass door of the defacto complainant's hospital, causing damage. Therefore, the second respondent/defacto complainant lodged a complaint, against the petitioners. Upon receiving the complaint, the first respondent registered a case in Crime No.638 of 2021 for the alleged offences under Sections 336 and 427 of the I.P.C. The petitioner was arrested on the same day and subsequently released on bail, while the second petitioner went absconding. After investigation, a final report was filed and the case was taken on file in C.C.No.689 of 2022 before the V-Metropolitan Magistrate at Egmore;

(iii) To quash the above proceedings, the present petitions have been filed before this Court.

3. The learned counsel for the petitioner(s) submitted that the petitioner/M.Karthik, is a Software Engineer working in U.S. He came to India, due to his father's illness, who was admitted in the New Hope



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Hospital for Covid treatment. The petitioner was not being satisfied with the treatment and admitted his father in another hospital, in Vihaa Hospital, where his father died without proper treatment. When he questioned the same, the hospital authorities threatened him that they would lodge a false complaint. As such, the second respondent/Dr. J. Hari Haran lodged a complaint against the petitioners. Further, the learned counsel for the petitioner submitted that according to the case of the defacto complainant/Greeshma Rai, the petitioner followed, thinking she was a known person to him. However, after seeing her face, he realized that she was not the person as he thought. Further, the petitioner apologized for following her. Even then, the second respondent/defacto complainant being a press person, allegedly forced the first respondent to file a false case against him. The first respondent registered the First Information Report against the petitioner and he was arrested immediately. Thereafter, the petitioners approached this Court to quash the proceedings in C.C.Nos.1123 and 689 of 2022 and it was dismissed on 30.07.2025. Hence, the petitioners have filed the present petitions.



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4. The learned Government Advocate (Criminal Side) appearing for the first respondent would submit that this is the second quash petition of the petitioners. The first quash petitions of the petitioners in Crl.O.P.Nos.15547 & 15549 of 2024 were dismissed by this Court by order dated 30.07.2023 on the ground that one of the petitioners was absconding. The accused had thrown stones at the hospital premises where his father was admitted and died, and a case was registered against the petitioner and the second petitioner. A final report was filed, and another case had been registered against the first petitioner for teasing a girl in public, for which photographic proof had been collected, leading to the filing of a final report. Further, he submitted that there is no change of circumstances after the dismissal of the earlier quash petitions. Therefore, he prayed for dismissal of the quash petitions.

5. In reply, the learned counsel for the petitioners submitted that the earlier quash petitions were dismissed not on merits but only because of pending “Non-Bailable Warrant” (NBW), which was subsequently recalled. Further, he submitted that additional grounds have been raised in these petitions for change of circumstances in this case. Therefore, he



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prayed to allow the petitions.

6. Heard both sides and perused the materials available on record.

7. Upon perusal of the records and upon hearing the submissions made by the learned Government Advocate (Criminal Side), this Court finds no change of circumstances to entertain the second quash petitions filed by the petitioners to quash the proceedings in C.C.Nos.1123 & 689 of 2022 pending before the V-Metropolitan Magistrate, at Egmore. Therefore, this Court is not inclined to quash the impugned proceedings.

8. Accordingly, this Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are also closed.

04.04.2025

Index : Yes/No
Speaking order /Non-Speaking order
Neutral Case Citation: Yes/No

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To

- 1.The V-Metropolitan Magistrate, Egmore.
- 2.The Inspector of Police,
K-4, Anna Nagar Police Station,
Anna Nagar, Chennai – 600 040.
(Crime No.636 of 2021 and Crime No,638 of 2021)
- 3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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