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CrI.O.P.No.32283 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.32283 of 2025
and
CrI.M.P.Nos.22379 & 22383 of 2025

1. Vishal D.Bothra
2. Alex @ Paul Francis Xavier ... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
CBCID – OCU – 1,
Egmore, Chennai – 600 008.
2. Vivek Ramsisaria
Managing Director,
M/s.Virgo Polymer (India) Ltd.,
No.1, Sundaram Illam, Door No.9,
2nd Floor, Chellammal Street, Shenoy Nagar,
Chennai – 600 030. ... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records relating to the charge sheet in C.C.No.2084 of 2024 together with order framing charge dated 27.11.2024 on the file of the 11th Metropolitan Magistrate, Saidapet, Chennai and thereby quash the same.



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For Petitioners : Mr.S.Senthilnathan
For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings pending against the petitioners/A1 and A2 in C.C.No.2084 of 2024, on the file of the learned 11th Metropolitan Magistrate, Saidapet, Chennai.

2. Learned counsel appearing for the petitioners submitted that based on the complaint given by the *de facto* complainant/second respondent, a case in Crime No.8 of 2022 was registered for the offences under Sections 408, 420, 467, 468, 471 and 109 of IPC. After completion of investigation, the case was taken cognizance on the file of the learned 11th Metropolitan Magistrate, Saidapet, Chennai, C.C.No.2084 of 2024. He further submitted that a case of civil nature has been given a criminal colour and that the ingredients of the offences as stated in the First Information Report have not been made out against the petitioners. He also submitted that the trial Court, without applying its mind, has framed charges. Hence, he prayed to quash the proceedings against the petitioners.



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3. Learned Additional Public Prosecutor submitted that the trial in C.C.No.2084 of 2024 has already commenced and twenty out of sixty one witnesses have been examined.

4. Now that the trial has already begun and considering that the calendar case is of the year 2022, this Court is not inclined to interfere with the trial proceedings at this stage and hence, finds no merit in this petition.

5. Accordingly, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petitions are closed.

27.11.2025

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Neutral Citation: Yes/No

To

1. The 11th Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
CBCID – OCU – 1,
Egmore, Chennai – 600 008.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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