

Crl.O.P.No.23683 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 28.08.2025

Coram:

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.23683 of 2025 &
Crl.M.P.No.16173 of 2025

Purusothaman @ Santhosh

...Petitioner

Vs.

1. State by
Inspector of Police,
T-12, Poonamallee Police Station,
Poonamallee

2. Manikandan

...Respondents

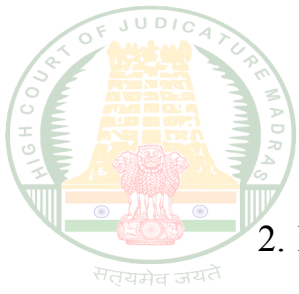
Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.168 of 2024 on the file of the learned Judicial Magistrate No.2, Poonamallee and quash the same.

For Petitioner	: Mr.Manoj Sreevalsan
For Respondents	: Mr.R.Vinothraja for R1
	Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the C.C.No.168 of 2024 as against the petitioner/A.2, for the alleged offences punishable under Sections 379 r/w 34 of IPC on the file of the learned Judicial Magistrate No.2, Poonamallee.



Crl.O.P.No.23683 of 2025

2. Heard the learned counsel appearing for the petitioner and the learned

Government Advocate (Crl.Side) appearing for the 1st respondent and perused the documents placed on record.

3. The crux of the final report filed against the accused is that while the defacto complainant's vehicle was parked in front of his house, on the next day, he found that the batteries were missing from the JCB vehicle, thereafter, police appears to have apprehended the accused and recorded confession of one Prakash/A.1. Pursuant to the said confession, recovery has been effected thereby final report has been filed against the said Prakash/A.1.

4. It is relevant to note that in the final report, absolutely there is no materials against the present petitioner and recovery has been made only from Prakash / A.1 and all the other witnesses do not implicate the name of the petitioner. Further, even if the entire prosecution case is considered together, they do not constitute any offence against the petitioner, hence, by keeping the final report pending as against the petitioner, no useful purpose would be achieved by the prosecution. Therefore, the final report, which was filed and taken on file in C.C.No168 of 2024 as against the present petitioner is quashed and the trial shall continue as against A.1

In the result, the present petition is allowed. Consequently, connected



CrI.O.P.No.23683 of 2025

miscellaneous petition is closed.

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28.08.2025

Index : Yes / No
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

1. The Judicial Magistrate No.2,
Poonamallee
2. State by
Inspector of Police,
T-12, Poonamallee Police Station,
Poonamallee
3. The Public Prosecutor,
High court, Madras

N.SATHISH KUMAR, J.

ssd



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Crl.O.P.No.23683 of 2025

Crl.O.P.No.23683 of 2025

28.08.2025