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Crl.O.P.No. 13789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2025

CORAM:

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

Crl.O.P.No.13789 of 2025 and
Crl.M.P.No.9209 of 2025

Kalaiyarasi

... Petitioner

Vs.

1.The State represented by
Inspector of Police,
J-1, Saidapet Police Station,
Chennai District.
(Crime No.810 of 2021).

2.Vinothkumar

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records relating to the C.C.No.1112 of 2023 on the file of IX Metropolitan Magistrate Court, Saidapet and to quash the same.

For Petitioner : Mr.R.Krishnakumar

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

ORDER

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2. Heard both sides and perused the materials placed before this Court.

3. On perusal of the records, it is seen that the petitioner had earlier filed a petition in Crl.O.P. No. 11171 of 2025, seeking the very same relief of quashing the proceedings in C.C.No.1112 of 2023. The said petition was dismissed by this Court by an order dated 15.04.2023, on the ground that the trial had already commenced, therefore, at this stage, this Court cannot exercise its power to quash the proceedings. The present petition has been filed once again seeking the same relief. This Court finds that the petitioner has neither produced any new material nor demonstrated any change in circumstances to justify the maintainability of a second quash petition in respect of the same criminal case. It is a well-settled principle of law that the successive petitions seeking



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quashment of criminal proceedings, without any fresh ground or changed circumstance, are not maintainable and amount to an abuse of the process of Court. Since the earlier petition was dismissed on the ground that trial has already commenced, the present petition, seeking the same relief, stands on no different footing and is therefore impermissible.

4. In view of the above, this Court finds no merit in the present petition. Accordingly, this Criminal Original Petition stands dismissed with cost of Rs.10,000/- (Rupees Ten Thousand only), payable to the Tamil Nadu State Legal Services Authority, Chennai. Consequently, connected miscellaneous petition is closed.

30.04.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk

G.K.ILANTHIRAIYAN, J.

shk



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To
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- 1.The IX Metropolitan Magistrate Court, Saidapet
- 2.The Inspector of Police,
J-1, Saidapet Police Station,
Chennai District.
3. The Public Prosecutor,
High Court, Madras.
4. The Accounts Section,
Madras High Court.

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