



Crl.O.P.No.23304 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.23304 of 2025
and Crl.M.P.Nos.15915 & 15916 of 2025

1.Prabhu
2.Prakash

... Petitioners

Versus

1.State Rep by
The Inspector of Police
Virdampet Police Station
Vellore District

2.Venumurthy

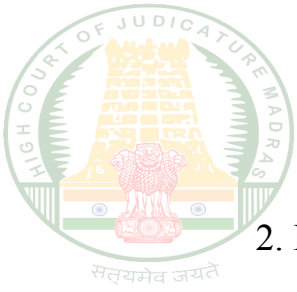
... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records pertaining to C.C.No.176 of 2005 on the file of the learned Judicial Magistrate-III, Vellore and quash the same.

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

ORDER

This petition has been filed to call for the records pertaining to C.C.No.176 of 2005 on the file of the learned Judicial Magistrate-III, Vellore and quash the same.

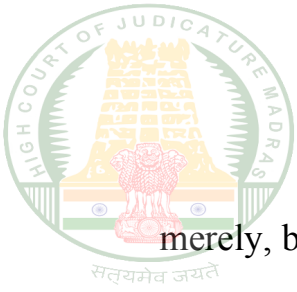


2. It is the case of the prosecution that on 23.03.2024, the petitioners went to the defacto complainant's house and used filthy language to vacate his house and during the wordy quarrel, the petitioners hit the defacto complainant using metal rod, hence, FIR was registered in FIR.No.105 of 2024 and the same resulted in filing of chargesheet in C.C.No.176 of 2025 on the file of the learned Judicial Magistrate-III, Vellore.

3. It is the contention of the revision petitioners that the petitioners have given a counter case in Cr.No.106 of 2024, however, till date, final report is not filed. Hence, seeks for quashment of the chargesheet.

4. The learned Government Advocate (Crl.Side) on instructions, submitted that final report will be filed in Cr.No.106 of 2024, the delay is only due to delay in securing the wound certificate.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials placed on record. The very FIR indicate there are serious bodily injuries caused to the defacto complainant and



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merely, because there is a delay in filing chargesheet in other case that cannot be a ground to quash the charge-sheet. Such view of the matter, this Court is not inclined to quash the charge-sheet in C.C.No.176 of 2025. Let the respondent police file a final report in the other case and the Trial Court shall simultaneously try both the charge-sheets and dispose of the same.

6. At this stage, the learned counsel for the petitioner sought indulgence of the Court, to dispense with the personal appearance of the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed. In view of the submissions of the learned counsel for the petitioners, the personal appearance of the petitioners is dispensed with except for receiving copies, for answering the charges, for questioning under section 313 Cr.P.C. and any other dates fixed by the trial Court. Consequently, connected miscellaneous petitions are closed.

22.08.2025

dhk

Index : Yes
Internet : Yes



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N.SATHISH KUMAR, J.

dhk

To

1. The Inspector of Police
Virdampet Police Station
Vellore District

2. The Judicial Magistrate No.III
Vellore

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