



Crl.O.P.No.27504 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.27504 of 2025
and Crl.M.P.No.18574 of 2025

Niranjan Louis @ Tinku

... Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
Ranipet Town Police Station,
Raipet Taluk & District – 632 001.

2. Nithish Kumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS/Section 428 of Cr.P.C., to call for the records in connection with C.C.No.19 of 2024 before the learned District Munsif cum Judicial Magistrate, Ranipet District and the same may be quashed.

For Petitioner : Mr.Pari Gopal

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

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings pending against the petitioner in C.C.No.19 of 2024 before the learned District Munsif cum Judicial Magistrate, Ranipet District.



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2. Heard both sides and perused the materials available on
WEB record.

3. Based on the complaint lodged by the second respondent, alleging that the accused, who were in an inebriated condition, abused the de facto complainant in filthy language and assaulted him with beer bottle, causing severe injuries, a case in Crime No.228 of 2024 was registered on 16.05.2024 for the offence under Sections 341, 294(b), 323, 324 and 506(2) of IPC. After completion of investigation, a final report was filed, which was taken cognizance of by the learned District Munsif cum Judicial Magistrate, Ranipet District, in C.C.No.19 of 2024, which is now sought to be quashed.

4. On perusal of the records, this Court finds that the Statements of the witnesses clearly implicate the petitioner and the veracity of the statements recorded under Section 161 Cr.P.C., cannot be gone into at this stage. It is also seen that the witnesses have sustained injuries.

5. In view of the above, this Court is of the view that the veracity and the reliability of the said statements can be assessed only by



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the trial Court and this Court cannot go into the same or conduct a roving enquiry while exercising its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise all his defence before the trial Court and the Court below shall consider the same on its own merits and in accordance with law.

6. Accordingly, this Criminal Original Petition stands dismissed. The trial shall be conducted in accordance with the guidelines laid down by the Hon'ble Supreme Court reported in ***Vinod Kumar Vs State of Punjab [2015 (1) MLJ (CrI) 288 SC]***. If the petitioner adopts any dilatory tactics, it is open to the trial Court to insist upon the presence of the petitioner and remand him to custody as held by the Hon'ble Supreme Court in ***STATE OF UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191)***.

7. Consequently, the connected miscellaneous petition is closed.

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Neutral Citation: Yes/No

WEB COPY To

1. The Inspector of Police,
Ranipet Town Police Station,
Raipet Taluk & District – 632 001.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



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N. SATHISH KUMAR, J.

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