



Crl.O.P.No.18754 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.18754 of 2025

and

Crl.M.P.Nos.12547 & 12548 of 2025

Premkumar

... Petitioner

Vs.

The State through
The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023, to call for the records relating to the final report in PRC No.22 of 2022 dated 13.7.2020 pending on the file of the learned Judicial Magistrate No.I, Kancheepuram, registered for the alleged offence under Section 399 of the Indian Penal Code, 1860 and be further pleased to quash the same as being unlawful and unsustainable in law as far as the petitioner is concerned.

For Petitioner : Mr.A.Manoj Kumar

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)



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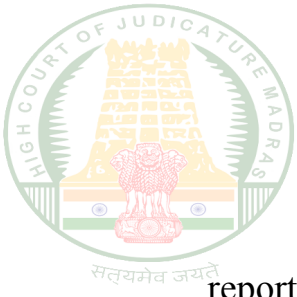
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ORDER

This Criminal Original Petition has been filed to call for the records relating to the final report in PRC No.22 of 2022 dated 13.7.2020 pending on the file of the learned Judicial Magistrate No.I, Kancheepuram, registered for the alleged offence under Section 399 of the Indian Penal Code, 1860 and to quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent-Police and perused the materials available on record.

3. Learned Counsel for the petitioner submitted that contents of F.I.R and statement of witnesses are contrary to each other and no recovery was made by the respondent-Police. The respondent Police registered a false case as against the petitioner. Further, he submitted that no previous case is pending against the petitioner and only in order to lodge a false case against the petitioner, the respondent-Police have created a confession statement. Hence, prayed for quashing of final



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report filed in PRC No.22 of 2022 dated 13.7.2020 pending on the file of the learned Judicial Magistrate No.I, Kancheepuram.

4. On a reading of complaint, F.I.R and also statements of witnesses, it is seen that *prima facie* allegations are available as against the petitioner. The grounds taken by the petitioner to quash the above said case is nothing but defence and the same can be agitated only during the course of trial before the Trial Court.

5. In view of the above, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

03.07.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

1. The Judicial Magistrate No.I, Kancheepuram,
2. The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J

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and
Crl.M.P.Nos.12547 & 12548 of 2025**

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