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Crl.O.P.No.20526 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.20526 of 2025 and
Crl.M.P.No.14194 of 2025

C.Jayapradeep

...Petitioner

Vs.

1. State represented by
The Inspector of Police,
T12 Selaiyur Police Station,
Tambaram, Chennai – 600 073.

2. The Executive Engineer,
Tambaram City Municipal Corporation,
Chennai – 600 045.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS to quash the charge sheet in C.C.No.253 of 2025 on the file of the Court of the Judicial Magistrate-II, Tambaram.

For Petitioner : Mr.S.Nambi Arooran and
Mr.S.Raga Sandesh

For Respondent : Dr.C.E.Pratap,
Govt. Advocate (Crl.Side) for R1



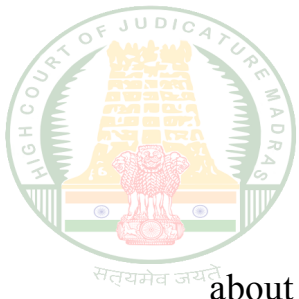
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ORDER

This petition has been filed seeking to quash the case in C.C.No.253 of 2025 pending before the learned the Judicial Magistrate-II, Tambaram, against the petitioner for the offence under Section 126(2), 127(2) and 132 of BNS.

2 Learned counsel for the petitioner would submit that the petitioner is the Chairman of Zone 3, Tambaram Corporation. The defacto complainant is the Executive Engineer, Tambaram Corporation, who first of all has no *locus standi* to file complaint against the petitioner. The petitioner is an independent politician, who was elected as councillor and subsequently reached the position of Zonal Chairman. The complaint is politically motivated, in order to harass the petitioner. It is the defacto complainant, who came to the office of the petitioner with hammer and tried to break the door, which was questioned by the petitioner. No public servant will come for inspection with hammer and even there is no record to show that the defacto complainant came for inspection and there is no whisper



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about the same in his complaint also. Further the key was very much available with the clerk and the defacto complainant also knows the fact.

2.1 Further the learned counsel for the petitioner submitted that a month prior, the petitioner gave complaint against the defacto complainant for demanding bribe and in order to wreck vengeance the defacto complainant filed false complaint against the petitioner, which is liable to be quashed.

3 The learned Government Advocate (Crl.Side) would submit that the petitioner restrained the defacto complainant from discharging his official duty. There are *prima facie* allegations against the petitioner and the investigation also reveals *prima facie* materials to proceed further and hence the case need not be quashed.

4 Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the first respondent and



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perused the materials available on record.

5 A careful reading of the complaint, FIR and statement of witnesses clearly reveal *prima facie* allegations against the petitioner to proceed further. All the grounds taken by the petitioner are nothing but defence, which can be agitated and proved before the trial Court. This Court does not find any reason to invoke Section 528 BNSS.

6 Accordingly, this Criminal Original Petition stands quashed. Consequently connected miscellaneous petition is closed. However, the petitioner is at liberty to take all his defence before the trial Court.

22.07.2025

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Speaking /Non-speaking order

To

1. The Judicial Magistrate-II, Tambaram.
2. The Inspector of Police, T12 Selaiyur Police Station, Tambaram, Chennai – 600 073.

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P.VELMURUGAN, J.

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