



Crl.O.P.No.22900 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.22900 of 2025

Vinoth Babu

... Petitioner

Vs.

1.The Inspector of Police,
T-2 Chromepet Police Station,
Chennai – 600 044.

2.Senthil Rajan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita to call for the records pertaining to the charge
sheet in C.C.No.224 of 2025 on the file of the learned District Munsif-cum-
Judicial Magistrate at Pallavaram and quash the same.

For Petitioner : Mr.K.Selvaganapathy

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



Crl.O.P.No.22900 of 2025

ORDER

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This Criminal Original Petition has been filed to quash the final report in C.C.No.224 of 2025 on the file of the learned District Munsif-cum-Judicial Magistrate at Pallavaram.

2.It is the case of the prosecution that, on 10.03.2024, when the *de facto* complainant went to the house of the petitioner asking him to remove his car from the parking area so as to park his car, the petitioner pulled the *de facto* complainant into his house and assaulted him and caused several injuries. Therefore, the *de facto* complainant lodged a complaint with the 1st respondent Police and an FIR came to be registered in Crime No.66 of 2024 for the offences under Sections 323 and 506(1) IPC. Thereafter, the Police have filed a final report which was taken on file in C.C.No.224 of 2025. Challenging the same, the present Criminal Original Petition has been filed.

3.Learned counsel for the petitioner would submit that both the offences under Sections 323 and 506(1) IPC are non-cognizable and therefore, the Police have no jurisdiction to register the FIR or conduct investigation without prior permission of the concerned Magistrate. Further,



Crl.O.P.No.22900 of 2025

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the learned counsel would submit that there is no medical report to substantiate the injuries.

4.Whereas, the learned Additional Public Prosecutor would submit that charges are framed and the matter is posted for witness examination and summons have also been served on P.W.1 and therefore, at this stage, the proceedings may not be quashed.

5.The petitioner has been charge-sheeted for the offences under Sections 323 and 506(1) IPC. It is well open to the petitioner to canvass his case before the learned Magistrate and make his defence. With this observation, this Criminal Original Petition is dismissed.

19.08.2025

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

N. SATHISH KUMAR, J.



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Crl.O.P.No.22900 of 2025

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To

The District Munsif-cum-Judicial Magistrate,
Pallavaram.

Crl.O.P.No.22900 of 2025

19.08.2025

Page 4 of 4