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CRL OP No. 24547 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 24547 of 2025 &
Crl.M.P.Nos.16793 and 16792 of 2025**

1. Mohamed Kuraish
S/o.Hammedh Basha, No.32,
Karunanithi Street, Saidapet,
Chennai - 15.

Petitioner(s)

Vs

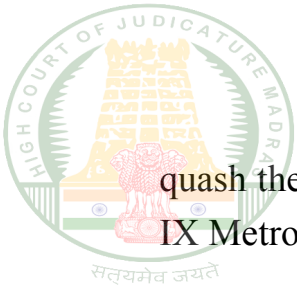
1. The State rep by
Inspector of Police, J-1, Saidapet Police
Station, Chennai District. Crime
No.884/2018

2.Saravanan
S/o.Radhakrishnan, No.185, F-Block,
7th Floor, TNSCB Perumbakkam,
Chennai District.

Respondent(s)

PRAYER

Criminal Original Petition filed u/s.482 of Cr.P.C., to call for the records and



quash the further proceeding in C.C.No.976/2025 pending on the file of learned IX Metropolitan Magistrate Court-Saidapet.

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For Petitioner(s): P.Muthamizhselvakumar

For Respondent: Mr.R.Vinothraja,
GA (crl.side)

ORDER

This Criminal Original Petition has been filed to quash the proceeding in CC.No.976 of 2023 on the file of IX Metropolitan Magistrate, Saidapet, Chennai.

2. Heard the learned counsel for the petitioner and the learned Govt. Advocate (crl.side) for the first respondent and perused the materials available on record.

3. The case of the prosecution is that on 19.09.2018, when the second respondent was waiting for his brother near Jeenis Road, Saidapet, as his two wheeler broke down, a group of 5 unidentified persons attacked the second respondent and damaged his two wheeler. When the second respondent tried to call his brother, one of them had snatched his mobile phone. Hence, the complaint.



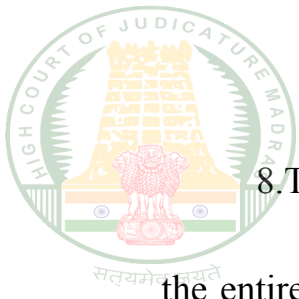
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4. On receipt of the complaint, the first respondent had registered FIR on Crime No. 884 of 2018 for the offences punishable under section 379 of IPC.

5. The learned counsel for the petitioner would submit that due to wordy quarrel between the accused and the second respondent, they snatched his mobile phone and immediately handed over to the second respondent. Even then, the first respondent has registered the FIR for the offences punishable under section 379 of IPC.

6. Now, the first respondent had completed the investigation and also filed a final report and the same has been taken cognizance in C.C.No.976 of 2023, and it is pending for trial on the file of the IX Metropolitan Magistrate, Saidapet. The petitioner was arrayed as A2 in C.C.No.976 of 2023.

7. A perusal of the statement recorded under Section 161 of Cr.P.C. also revealed that there was a wordy quarrel between the accused and the second respondent. When the second respondent attempted to make a call to his brother, the accused snatched the mobile phone and thereafter, returned it to him.



8. Therefore, no offence is made out under section 379 of IPC. Further, the entire allegations are trivial in nature and the entire proceedings cannot be sustained and is liable to be quashed. Accordingly, the proceeding in C.C.No.976 of 2023 on the file of IX Metropolitan Magistrate, Saidapet, Chennai is hereby quashed.

9. In the result, this Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petitions are closed.

msr

09-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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Inspector of Police, J-1, Saidapet Police
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2. Saravanan
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N.SATHISH KUMAR J.

msr

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