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CRL OP No. 23592 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 23592 of 2025 & CrI.M.P.No.16088 of 2025

1. MANIKANDAN

S/o. Kanthasami, No.20, Bharathi
Street, Kamarajapuram, Velachery,
Chennai-42.

2. Anbarasu

S/o. Rajendran, No.21,12,
Gangaiamman Kovil 1st Street,
Kamarajapuram, Velachery, Chennai-
42.

3. Veerapandi

S/o. Malaisamy, No.6/12, Gandhi
Street, Nehru Nagar, Velachery,
Chennai-42.

Petitioner(s)

Vs

1. The State rep by The Inspector of
Police
J7 Velachery Police Station, Chennai.
Crime No.108 of 2018.



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2. Sivaprakasham
GR.I.PC 26440, J-7, Velachery Police
Station, Velachery, Chennai 600042.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the entire records connected with the case in P.R.C.No.77 of 2024 pending on the file of the Learned XVIII MM, Saidapet, Chennai and quash the same and pass such further or other orders as this Honble Court.

For Petitioner(s): M/s.J.Sathish

For Respondent(s): Mr.R.Vinodh Raja,
Government Advocate [Crl.Side] – R1

ORDER

This Criminal Original Petition has been filed to quash the case in P.R.C.No.77 of 2024 pending on the file of the Learned XVIII MM, Saidapet, Chennai.

2. It is the contention of the learned counsel appearing for the petitioners that a false case has been registered against the petitioners. Therefore, entire



final report has to be quashed. He further submit that the case against the co-

accused had already been quashed by this Court. Hence seeks to quash the final

report filed against the petitioners.

3. It is relevant to note that the materials collected by the prosecution indicate that there was preparation to commit dacoity followed by recovery of weapons from the accused. In such view of the matter, whether evidence collected with regard to preparation of dacoity is admissible or reliable is a matter of appreciation by the trial Court. While sitting under section 482 Cr.P.C. / Section 528 BNSS, this Court cannot make a roving enquiry. When there are prima facie materials available to show that the allegations are made with regard to preparation of dacoity and recovery is also made from the accused, at this stage, this Court cannot go into veracity and reliability of the evidence. It is the realm of the trial Court. Though charges against one of the co-accused has been quashed by this Court in Crl.O.P.No.13010 of 2025 by an Order dated 28.04.2025, the learned Single Judge had quashed the charges on the ground that there is no recovery from the petitioner therein and the same cannot be



applied to quash the entire proceedings as against the petitioners. Hence, I do not find any merits in this petition.

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4. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

28-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Inspector of Police
J7 Velachery Police Station, Chennai.
Crime No.108 of 2018.

2. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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