

CrI.OP.No.24088 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P. No.24088 of 2025

and

CrI.M.P.Nos.16473 & 16474 of 2025

Satish Kumar

... Petitioner

Vs.

1.The Inspector of Police,
Mahapallipuram Police Station (Crime),
Kancheepuram District.

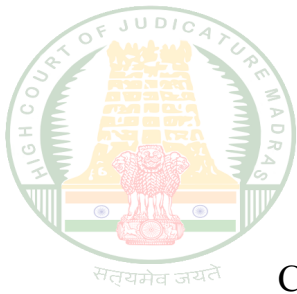
2.Sathiyaseelan

...Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to call for the records and quash the charge sheet in C.C.No.174 of 2019 on the file of the Judicial Magistrate, Thirukazhukundram.

For Petitioner : Mr.R.Rajarajan

For Respondent-1 : Mr.R.Vinothraja
Government Advocate (CrI.Side)



Crl.OP.No.24088 of 2025

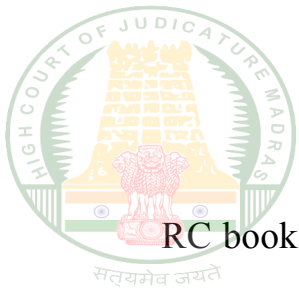
ORDER

Challenging the charges filed as against the petitioner herein in C.C.No.174 of 2019 on the file of the Judicial Magistrate, Thirukazhukundram, the present Criminal Original Petition has been filed.

2. Heard both sides. The learned Government Advocate (Criminal Side) takes notice on behalf of the first respondent.

3. It is the case of the prosecution that on 20.05.2018 at about 7 pm., the accused drove the car bearing registration number TN-06-D-9092 in a rash and negligent manner and dashed the deceased, who was standing in the road, as a result, he succumbed to the injuries. Hence, the case came to be registered.

4. On a perusal of the materials available on record and the submissions made by the learned counsel for the petitioner, it reveals that though 14 witnesses have been relied upon by the prosecution i.e., LW1 to LW14, none of the witnesses identified the accused and the name of the petitioner was neither mentioned in the complaint nor by any of the witnesses. It is pertinent to note that the driving license was not seized and

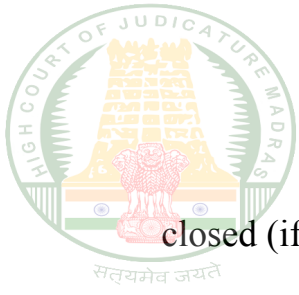


Crl.OP.No.24088 of 2025

RC book of the vehicle has not been verified by the police and also that the Motor Vehicle inspection report was filed only after six months of the occurrence. Even taking into account, the entire statements of the witnesses and materials available, the same does not lead to establish the charges levelled against the petitioner herein. It is further relevant to mention here that the occurrence had taken place in the year 2018 and therefore, there is no purpose for the Court to keep the same pending for more than seven years.

5. Considering the facts and circumstances of the case, this Court is of the opinion that a false charges have been foisted against the petitioner herein and therefore, the charge sheet filed in C.C.No.174 of 2019 on the file of the learned Judicial Magistrate, Thirukazhudundram, is hereby quashed. It is also made clear that mere quashing the charges will not relieve the petitioner from any civil liabilities and the de-facto complainant is at liberty to establish the negligent act of the petitioner in claiming the compensation on the basis of the evidence adduced before the concerned Tribunal.

6. For the reasons stated above, this Criminal Original Petition stands allowed. Consequently, the connected Miscellaneous Petitions are also



closed (if any).

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CrL.OP.No.24088 of 2025

02.09.2025



CrI.OP.No.24088 of 2025

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To

- 1.The Judicial Magistrate Court,
Thirukazhukundram.
- 2.The Inspector of Police,
Mahapallipuram Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

DP

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