



Crl.O.P.Nos.25615 & 7072 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.Nos.25615 & 7072 of 2025
and Crl.M.P.No.5275 of 2025

Crl.O.P.No.25615 of 2025

1.V.Parthasarathy
2.Prasanth Balaji
3.Pragadeeskannan

... Petitioners

Vs.

State by
Sub-Inspector of Police
R-8, Police Station (L&O)
Vadapalani, Chennai – 600 026
(Cr.No.81/2022)

... Respondent

Crl.O.P.No.7072 of 2025

V.Parthasarathy

... Petitioner

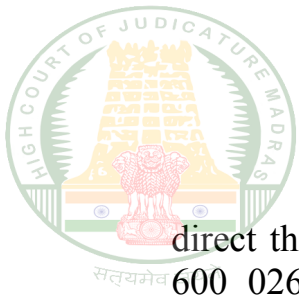
Vs.

State by
Sub-Inspector of Police
R-8, Police Station (L&O)
Vadapalani, Chennai – 600 026
(Cr.No.180/2023)

... Respondent

Prayer in Crl.O.P.No.25615 of 2025 : Criminal Original Petition is filed under Section 528 BNSS, to call for the records and to set aside the Docket Order dated 05.05.2025 passed by the learned XVII Judicial Magistrate, Saidapet, Chennai in C.C.No.984 of 2023

Prayer in Crl.O.P.No.7072 of 2025 : Criminal Original Petition is filed under Section 528 BNSS, to call for the records of the final report dated 05.12.2024 filed in C.C.No.1601 of 2024 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai and set aside the same and to



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direct the respondent police of R-8, Police Station, Vadapalani, Chennai – 600 026 to re-investigate/further investigation in C.C.No.1601 of 2024 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai in Cr.No.180 of 2023 on the file of R-8, Police Station, Vadapalani, Chennai – 600 026.

In both petitions

For Petitioners : Mr.Ravindran Venkatachalapathy
For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.Side)

COMMON ORDER

The petitioners in Crl.O.P.No.25615 of 2025 seek to set aside the docket order passed by the learned XVII Metropolitan Magistrate, Saidapet, Chennai vide in C.C.No.984 of 2023 vide order dated 05.05.2025 taking note of the connected charge-sheet in C.C.No.1601/2024 as counter case and have to be tried simultaneously had stayed the proceedings in C.C.No.1601/2024 since, the same is challenged before this Court in Crl.O.P.No.7072 of 2025 for re-investigation.

2. It was brought to the notice of this Court that Crl.O.P.No.7072 of 2025 is a connected matter, therefore, Crl.O.P.No.7072 of 2025 is listed today as additional list and the both the petitions, heard together and is disposed of by way of this common order.

3. Heard both sides and perused the materials placed on record.



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WEB COPY 4. The petitioner in Crl.O.P.No.7072 of 2025 is the defacto complainant in Cr.No.180 of 2023 which culminated in filing charge-sheet in C.C.No.1601 of 2024 and similarly, the petitioners in Crl.O.P.No.25615 of 2025 are the accused in Cr.No.81 of 2022 which culminated in filing charge-sheet in C.C.No.984 of 2023. Both the charge-sheets were filed on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

5. The alleged occurrence in Cr.No.180 of 2023 took place on 07.03.2022 and the alleged occurrence in Cr.No.81 of 2022 took place on 09.03.2022. The alleged occurrence in Cr.No.180 of 2023 took place much prior to the alleged occurrence in Cr.No.180 of 2022, therefore, two different occurrence on two different dates, however, the learned Magistrate had held in the order dated 05.05.2025 that case in counter is pending. Such view of the matter, the order of staying the proceedings in C.C.No.161 of 2024 cannot be sustained and the same is hereby set aside. There shall be a direction to the learned XVII Metropolitan Magistrate, Saidapet, Chennai to decide the matters on its own merits. Accordingly, the petition in Crl.O.P.No.25615 of 2025 stands allowed.

6. With regard to the other petition in Crl.O.P.No.7072 of 2025 which



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has been filed for setting aside the final report in C.C.No.1601 of 2024 and

WEB COPY for re-investigation, considering the nature of allegations, this Court is of the view that it is only a petty quarrel, as a matter of right, the petitioner cannot seek for re-investigation. Hence, I do not find any merits in this petition and accordingly, the petition in Crl.O.P.No.7072 of 2025 stands dismissed. Consequently, connected miscellaneous petition stands closed.

18.09.2025

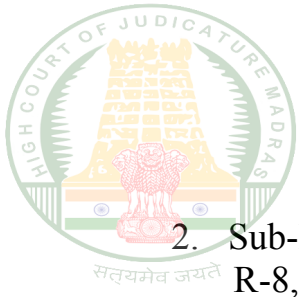
Neutral Citation: Yes/No

Internet : Yes/No

To

1. The XVII Metropolitan Magistrate, Saidapet

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2. Sub-Inspector of Police
R-8, Police Station (L&O)
Vadapalani, Chennai – 600 026

3. The Public Prosecutor,
Madras High Court



WEB COPY



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N. SATHISH KUMAR, J.

dhk

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and Crl.M.P.No.5275 of 2025

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