



Crl.O.P.No.26929 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.26929 of 2025 and
Crl.M.P.No.18391 of 2025

K.R.Siyam @ Lakshmana Babu

... Petitioner

Vs.

The State rep. by
The Inspector of Police
M-4, Redhills Police Station (Chengundram)
Thiruvallur District
(Crime No.1005 of 2010)

... Respondents

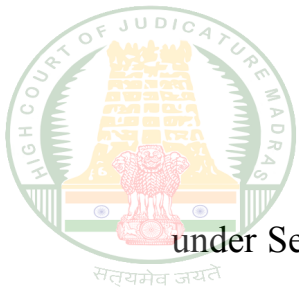
PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records and quash the legal proceedings in Crime No.1005 of 2010 as P.R.C.No.22/2019 on the file of learned Judicial Magistrate-II, Ponneri, Thiruvallur District.

For Petitioner : Mr.B.William

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

ORDER

This Criminal Original Petition has been filed to quash the legal proceedings in Crime No.1005 of 2010 as P.R.C.No.22/2019 on the file of learned Judicial Magistrate-II, Ponneri, Thiruvallur District for the offences



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under Sections 147, 148, 341, 294(b), 307 IPC read with 149, 353, 336 IPC

and 25(1)(a), 27(2) of Arms Act.

2. The crux of the allegation in the final report is that the petitioner along with other accused including A1 who was facing a murder charge, created havoc in the public road and threatened the public with deadly weapons including knives and long Sickle and also tried to attack the police party during which, four of the accused were caught red handed and the car in which, the accused had travelled, was also seized. Three of the accused including the petitioner fled away from the scene of occurrence and later they were arrested and after completion of investigation, the final report was filed.

3. Though the final report was filed in the year 2011, it appears that since the accused one after another were evading the process, there is a delay in the trial proceedings. Now the learned counsel for the petitioner submits that there is no material against the petitioner and no identification parade was conducted and therefore, the entire final report has to be quashed as against the petitioner.

4. On a perusal of the entire materials though there are mainly police witnesses available, the nature of the allegations in the final report and the statement of witnesses make it clear that on the date of occurrence, all the



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accused including A1 who was facing murder charge, were travelling in a car and when the police party tried to stop the car, the accused threatened them with deadly weapons besides they broke beer bottles in the public road and tried to cause serious injuries on the police party, which was somehow controlled by the police and later the accused were arrested.

5. Whether the statements of the witnesses are reliable or not is a matter of evidence. Whether such an occurrence had happened or not is also a matter of evidence. Only after considering the entire circumstances brought on record, the Court can come to a conclusion. Merely because there was a delay in the trial proceedings that too which had occurred due to non appearance of the accused one after another before the trial Court, the proceedings cannot be quashed.

6. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To
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- 1.The Inspector of Police
M-4, Redhills Police Station (Chengundram)
Thiruvallur District
2. The Judicial Magistrate-II,
Ponneri, Thiruvallur District.
3. The Public Prosecutor
High Court of Madras



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N. SATHISH KUMAR, J.

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