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CRL OP No. 25155 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25155 of 2025

Sathees @ Sathiyaseelan

Petitioner(s)

Vs

The Inspector of Police
V-5, Thirumangalam Police Station,
Chennai. Crime No.324 of 2012.

Mr. Nagarathinam (Deceased)

Respondent(s)

PRAYER

To call for the records in C.C.No.2217 of 2024 (split up from C.c.No.983 of 2013) on the file of the learned XIII Metropolitan Magistrate, Egmore, Chennai, and quash the proceedings as against the petitioner (A3 Satish @ Sathyaseelan).

For Petitioner(s): Dr. N. Vijayaraj

For Respondent(s): Mr.R.Vinothraja,
Govt. Advocate (Crl. Side), for R1

**ORDER**

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This petition has been filed to quash the proceedings as against the petitioner in C.C.No.2217 of 2024 (split up from C.C.No.983 of 2013) on the file of the learned XIII Metropolitan Magistrate, Egmore, Chennai.

2. The case of the prosecution is that the accused A1 to A3 pretending to assist the wife of the defacto complainant had swindled bank deposits, money and jewels taking advantage of her old age. During trial, A2 and A3 had absconded and therefore, the case was split up as against them in C.C.No.2217 of 2024. The trial Court proceeded trial as against A1 and the prosecution has examined as many as 3 witnesses and exhibited 2 documents. In the meanwhile, the defacto-complainant died and thereafter, no witness supported the prosecution. Therefore, A1 is acquitted for the above said offence.

3. The learned counsel for the petitioner submitted that the main accused A1 is acquitted and there was no evidence available as against A3 and continuation of prosecution as against A3 is nothing but an abuse of process of law.



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4. I have perused the order of the trial Court and it is clear that the defacto complainant is no more and there is no witness, which supports the case of the prosecution. The charge against the petitioner/A3 is that he was introduced to the wife of the defacto complainant by A2 and he allegedly stole money from the wife of the defacto complainant. However, there is no witness supports the above case and no recovery is also made from him whatsoever. Since there is no evidence available for continuing the prosecution as against the petitioner, the proceedings as against the petitioner in C.C.No.2217 of 2024 stands quashed. Accordingly, the petition is allowed.

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pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.SATHISH KUMAR J.

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