



Crl.O.P.No.25508 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25508 of 2025

and

Crl.M.P.Nos.17271 and 17272 of 2025

J.Dinesh Kumar

... Petitioner

Vs.

1. State rep. by
Inspector of Police
Sendamangalam Police Station
Namakkal District

2. Rajkumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for records relating to the charge sheet in P.R.C.No.7 of 2025 on the file of the learned Judicial Magistrate, Sendamangalam, insofar as the petitioner is concerned and to quash the same.

For Petitioner : Mr.M.Dinesh

For 1st Respondent : Mr.R.Vinothraja
Government Advocate (Crl. Side)



CrI.O.P.No.25508 of 2025

ORDER

WEB COPY This Criminal Original Petition has been filed to quash the charge sheet in P.R.C.No.7 of 2025 on the file of the learned Judicial Magistrate, Sendamangalam, insofar as the petitioner is concerned.

2. According to the prosecution, the petitioner along with other accused conspired to commit dacoity to rob the daily collection money of a TASMACH shop at Seaiyur from its salesmen and pursuant to the conspiracy, on 26.04.2024, the other accused followed the TASMACH employees, attacked them with weapons, threw chilli powder on them and caused grievous injuries including severing of one victim's hand and robbed Rs.75,200/-. After completion of investigation, the final report was filed for the offences under Sections 395, 397 and 120B IPC.

3. According to the learned counsel for the petitioner, the petitioner has been arrayed as A4 and he has been charged only for the offence under Section 120B IPC, but that there is no material against the petitioner in the entire final report. Hence, he seeks to quash the final report as against the petitioner.

4. A perusal of the final report and the statements of the witnesses indicate that 9 persons came in two wheelers and attacked the victims. As far as the charge under Section 120B IPC is concerned, there cannot be any



Crl.O.P.No.25508 of 2025

direct evidence. The charge of conspiracy can be proved by any other circumstantial evidence and all the facts can be unearthed only based on the substantial evidence during trial. At this stage, this Court cannot conduct a mini trial to quash the proceedings.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

17.09.2025

ksa-2

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Judicial Magistrate,
Sendamangalam
2. Inspector of Police
Sendamangalam Police Station
Namakkal District
3. The Public Prosecutor
High Court of Madras, Chennai



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Crl.O.P.No.25508 of 2025

N. SATHISH KUMAR, J.

ksa-2

Crl.O.P.No.25508 of 2025

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