



Crl.O.P.No.25763 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25763 of 2025 and
Crl.M.P.No.17486 of 2025

1. S.Mohanraj
2. B.Velayutham

... Petitioners

Vs.

1. The State
Rep. by its Inspector of Police
T-6 Avadi Police Station
Avadi, Chennai

2. P.Subuthai
Town Planning Officer
Avadi Corporation, Avadi, Chennai

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S.
to quash final report in C.C.No.847 of 2023 on the file of the Judicial
Magistrate Court No.II at Poonamallee.

For Petitioner : Mr.X.Selvam Sounder

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



ORDER

WEB COPY This Criminal Original Petition has been filed to quash final report filed against the petitioners for the offences under Sections 170, 353 and 506(ii) of IPC in C.C.No.847 of 2023 on the file of the Judicial Magistrate Court No.II at Poonamallee.

2. The crux of the charges against the petitioners is that they pretended themselves as Government Servants working in Vigilance and insisted for approval of a plan for their friend, but on fact they are not Government Servants and were not working in the Vigilance Department.

3. The main contention of the learned counsel for the petitioners is that the ingredients for the charge under Section 170 IPC has not been made out. Further, there is also no material to substantiate the charge under Section 506(ii) IPC. Even the alleged file on whose plan the petitioner had sought the approval is also not mentioned in the entire final report. Hence, he seeks to quash the final report.

4. On a perusal of the final report and the statements of the witnesses it is relevant to state that the very allegation against the petitioners is that the first petitioner approached the defacto complainant along with the second petitioner and pretended himself as a Government Servant working as a Driver to SP Vigilance and insisted for a plan approval for his friend



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Saravana Raja. Whether the alleged file was pending at the relevant point of time or not, is a matter of evidence. This Court cannot conduct a roving enquiry or mini trial to ascertain the veracity of the statements recorded from the witnesses under Section 161 Cr.P.C. particularly while this Court dealing with the petitions filed under Section 482 Cr.P.C./528 BNS. Therefore, this Court finds no merits in this petition.

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

6. At this juncture, the learned counsel for the petitioners prays to dispense with the personal appearance of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the personal appearance of the petitioners before the trial Court is dispensed with except for receipt of copies, answering the charges, questioning under section 313 Cr.P.C./Section 351 of BNSS and on the date of pronouncing judgment and also on any other dates as may be required by the trial Court.

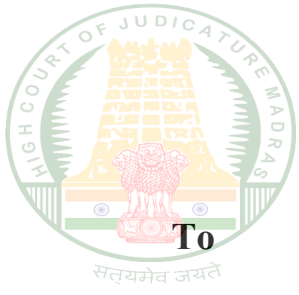
19.09.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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WEB COPY

1. The Judicial Magistrate Court No.II
Poonamallee.
2. The Inspector of Police
T-6 Avadi Police Station
Avadi, Chennai
3. The Public Prosecutor
High Court of Madras, Chennai



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N. SATHISH KUMAR, J.

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