



WEB COPY

CRL OP No. 2639 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 2639 of 2026
and Crl.M.P.No.744 of 2026**

1. Sudhir Kumar
2. Suraj
3. Badri Vishal

..Petitioner(s)

Vs

1. The State rep.by, The Sub-Inspector of Police,
E2, Royapettah Police Station,
Chennai-600 014.
(Ref.Cr.No.129 of 2025)

2. V.Vinodhini

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for the records in C.C.No.2516 of 2025 on the file of the XVIII Metropolitan Magistrate Court, Saidapet and quash the same.

For Petitioner(s): Mr.R. Prabhakaran

For Respondent(s): Mr.S.Santhosh,
Government Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.2516 of 2025 pending on the file of the XVIII Metropolitan Magistrate, Saidapet.



2. The case of the prosecution is that the petitioners unlawfully entered the room booked by the de facto complainant and attempted to commit theft therein. Hence, the present case.

3. The learned counsel for the petitioners submitted that the petitioners are house-keeping staff employed at the Kalyana Mandapam run by by Shree Geetha Bhavan Trust and in the course of their employment, the petitioners entered the said room solely for the purpose of cleaning and that they have not committed any offence whatsoever. Based on mere suspicion, the de facto complainant lodged a complaint against the petitioners. He further submitted that the petitioners were subjected to a thorough search and it was found that nothing was missing from the belongings of the de facto complainant and no incriminating material was recovered from the petitioners during the body search. Subsequently, the de facto complainant addressed a letter seeking withdrawal of the complaint. He also submitted that however, without accepting the said letter of withdrawal, the first respondent proceeded with the investigation and filed the final report.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that the petitioners entered the room booked by the de facto complainant and attempted to commit theft. Based on the complaint, the petitioners were arrested and upon completion of investigation, the final



report has been filed for the offences under Sections 305(a) and 62 of BNS. He also submitted that the final report has also been taken cognizance in C.C.No.2516 of 2025 on the file of the XVIII Metropolitan Magistrate, Saidapet.

5. This Court called for the CD file from the first respondent and upon perusal of the same, it is seen that in the letter dated 15.06.2025, the de facto complainant has stated that she had already given a letter dated 08.06.2025 seeking withdrawal of the complaint.

6. Taking into consideration the fact that the de facto complainant herself has sought withdrawal of the complaint, this Court is of the opinion that no useful purpose would be served by keeping the criminal proceedings pending. Accordingly, the Criminal Original Petition stands allowed and the proceedings in C.C.No.2516 of 2025 pending on the file of the XVIII Metropolitan Magistrate, Saidapet, against the petitioners, are hereby quashed. Consequently, connected Miscellaneous Petition is closed.

05-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VKR

