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CRL OP No. 8632 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 8632 of 2026
and Crl.M.P.Nos.6139 & 6140 of 2026**

P.Rayan Raj
Son of Paul Many,
No.1/866, Apposthala Street,
Pudhu Nagar, Perumbakkam,
Chennai - 600 100.

..Petitioner(s)

Vs.

1. The State Rep By, The Inspector of Police
Assistant Commissioner of Police,
Pallikaranai - TIW Police Station,
Tambaram City.
Crime No.291 of 2023
2. G.Prakash
Son of Gopal,
No.64, Kakkanji Street,
Pallikaranai,
Chennai - 600100.

..Respondent(s)

Criminal Original Petition is filed under Section 528 BNSS to call for the records in CC.No.488 of 2025 on the file of Judicial Magistrate No.II, Alandur for offences under section 279 and 304(A) of IPC and to quash the same and also may be pleased to pass any other orders.

For Petitioner(s):

Mr.G.Krishnamurthy

For Respondent(s):

M/S. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP for R1



ORDER

The petitioner / accused facing trial in C.C.No.488/2025 for the offences under Section 279, 304 (A) IPC had filed this petition on the ground of delay.

2. The contention of the petitioner is that for the offence punishable under Section 279 IPC, the punishment is six months and for the offences punishable under Section 304(A) IPC, the punishment is three years. In this case FIR has been registered on 13.05.2023 and charge sheet has been filed with a delay of more than two years. Hence filed this quash petition.

3. Learned Additional Public Prosecutor submitted that in this case after investigation, charge sheet was made ready on 02.06.2023 and filed before the trial Court on 13.06.2023. The occurrence had taken place on 13.05.2023 and the investigation has been completed and the trial Court, considering all the facts of the case, had taken the charge sheet on file and issued summons to the petitioner. The petitioner rode the bike in a rash and negligent manner and hit the victim which has been confirmed by two witnesses and thereafter, only charge sheet has been filed.

4. The points raised by the petitioner are factual which are to be decided during trial. Considering the facts and circumstances of this case, on the point of



delay in filing the charge sheet, this case cannot be questioned and it is for the petitioner to raise that point at the time of trial before the trial Court.

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5. Accordingly, this Criminal Original Petition is dismissed. Connected miscellaneous petitions are closed.

07-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

BKN

To:

1. The Inspector of Police
Assistant Commissioner of Police,
Pallikaranai - TIW Police Station,
Tambaram City.
Crime No.291 of 2023

2. Judicial Magistrate II, Alandur.

3. Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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