



WEB COPY

CRL OP No. 5638 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5638 of 2026

and

Crl.M.P.No.4243 of 2026

Ruban
S/o.Sivalingam,
Residing at No.8C, St.Marrys Road,
Perambur, Chennai - 600 011.

..Petitioner(s)

Vs

1. The State Rep. by its the Inspector of Police,
K-1 Sembiam Police Station,
Pulianthope, Chennai.
(Crime No.671/2022)

2. Mrs.Molly Joseph
W/o.Joseph,
Residing at No.7, St.Marrys Road,
Perambur, Chennai - 600 011.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 BNSS to call for records in connection with Crime No.671/2022 dated 07.12.2022 pending for investigation on the file of 1st respondent - K1 Sembiam police for investigation and quash the same and further proceedings for the reasons stated above and to pass order or orders that may deem fit and proper.

For Petitioner(s): Mr.Elanjchezhien. J

For Respondent(s): Mr.LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PUBLIC PROSECUTOR
FOR R1



ORDER

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2.The learned counsel appearing for the petitioner submitted that due civil dispute between the petitioner and the defacto complainant/2nd respondent, civil suit in O.S.No.794 of 2021 was filed and the same is pending before the City Civil Court, Chennai. He further submitted that FIR in this case is hit under limitation of Section 468 Cr.P.C./514 BNSS, since the offences alleged in the FIR are 447 and 506(i) IPC.

3.The learned Additional Public Prosecutor submitted that investigation in this case has been completed and final report has also been filed through e-filing in LTN20230001129, before the Chief Metropolitan Magistrate Court, Egmore, Chennai on 04.03.2026.

4.Considering the submissions and on perusal of the materials available on record, it is seen that primary ground agitated by the petitioner is with regard to the point of limitation and also that a civil suit is pending between the



petitioner and the defacto complainant second respondent. The points raised by the petitioner to be raised before the trial Court and not in this petition.

5. Recording the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed closed. Consequently, the connected miscellaneous petition is closed.

05-03-2026

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

To

1. The State Rep. by its the Inspector of Police,
K-1 Sembiam Police Station,
Pulianthope, Chennai.
(Crime No.671/2022)
2. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

sms

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