



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 16537 of 2026
& CRL MP No.10923 of 2026**

Vignesh

..Petitioner(s)

Vs

1. State by Inspector of Police
Uthangarai Police Station,
Krishnagiri District.
Cr.No.136 of 2025

2. K. Ezhialarasi

..Respondent(s)

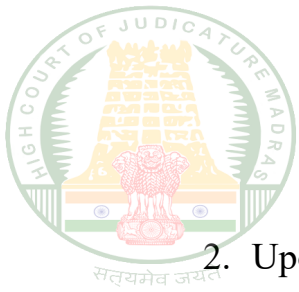
Criminal Original Petition filed under Section 528 of BNS, to call for the records in connection with the C.C. No.114/2026 on the file of the learned Judicial Magistrate, Uthangarai dated 23-5-2025 on the file of the 1st respondent and quash the same and thus render justice.

For Petitioner(s): Mr.K.Thiruvengadam

For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the final report in C.C.No.114 of 2026 on the file of the learned Judicial Magistrate, Uthangarai, dated 23.05.2025.



2. Upon hearing the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent, it is seen that the gravamen of the allegations is that, when the defacto complainant/Chief Medical Officer, on receiving information, inspected the premises, it was found that the petitioner, who is only a qualified Nurse and Physiotherapist, was running the clinic and prescribing allopathic medicines. The prescriptions and other materials were collected from the clinic and, based on the same, the final report has been filed.

3. The learned counsel for the petitioner seeks to quash the final report on the ground that, though the petitioner is a Nurse-cum-Physiotherapist, the clinic is jointly run by one Dr. Kavin, an MBBS-qualified Doctor, who alone prescribes allopathic medicines and administers allopathic treatment. It is further submitted that his name is also displayed on the name board of the clinic. Without even verifying the same, the investigation has been completed and the final report has been filed.

4. The facts argued by the learned counsel for the petitioner cannot be said to be incontrovertible. The said contentions are in the nature of a defence, which has to be established during the course of trial. Therefore, on that ground, I am not inclined to quash the final report. Keeping open the liberty of the



petitioner to cross-examine the prosecution witnesses and to let in defence evidence before the Trial Court, the prayer sought for in this Criminal Original Petition cannot be countenanced.

5. Accordingly, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

30-06-2026

Index: No
Speaking order
Neutral Citation: No

skr

To

1. The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
2. The Public Prosecutor,
Madras High Court, Chennai



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D.BHARATHA CHAKRAVARTHY, J.

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