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Crl.O.P.No.2219 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM:

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

Crl.O.P.No.2219 of 2026
and Crl.M.P.No.1492 of 2026

Justin @ Justin Raj

... Petitioner

Vs.

1. The State of represented by,
The Inspector of Police,
Gingee Police Station,
Villupuram District.

(Crime No.219 of 2025)

2. S.Anthoniraj

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in respect of the case in Crime No.219 of 2025 and FR.189/2025 on the file of the first respondent police and P.R.C.No.97 of 2025 on the file of the Judicial Magistrate Court, Gingee.

For Petitioner : Ms.E.Saraswathi

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings pending against the petitioner in P.R.C.No.97 of 2025, on the file of the Judicial Magistrate Court, Gingee.

2. The case of the prosecution is that on 20.05.2026, the petitioner, along with other accused, formed an unlawfully assembly armed with weapons, trespassed into the second respondent/ *de facto* complainant's school, damage the articles therein, abused and assaulted the de facto complainant in filthy language and threatened him with dire consequences. Based on the complaint lodged by the second respondent/*de facto* complainant, a case in Crime No. 219 of 2025 was registered on 20.05.2025 for the offences under Sections 191(2), 191(3), 329(4), 324(3), 294(b), 115(2), 118(1), 121(1) and 351(3) of the BNS. After completion of the investigation, the final report was filed before the Court concerned and the same is pending committal on the file of the Judicial Magistrate Court, Gingee, in P.R.C.No.97 of 2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner, who is arrayed as A6, is an innocent person and that on the

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alleged date of occurrence, he was at his father's shop, which is situated about 15 kilometres away from the place of occurrence. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is being unnecessarily subjected to the ordeal of trial. Hence, he prayed for quashing the proceedings against the petitioner.

4. *Per contra*, the learned Government Advocate (Criminal Side) appearing for the first respondent submitted that the petitioner has raised a plea of alibi, which is a matter for evidence and can be established only during trial. Hence, he opposed for quashing the proceedings against the petitioner.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the opinion that the petitioner seeks to quash the proceedings mainly on the ground of alibi and such a ground cannot be adjudicated in a petition filed under Section 482 Cr.P.C., as it involves disputed questions of fact which require evidence. Therefore, this Court is not inclined to quash the proceedings against the petitioner.



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6. Accordingly, this Criminal Original Petition stands dismissed.

Consequently, the connected miscellaneous petition is closed. However, the petitioner is entitled to raise all the grounds raised in this petition before the trial Court.

02.02.2026

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Neutral Citation: Yes/No

To

1. The Judicial Magistrate,
Gingee.
2. The Inspector of Police,
Gingee Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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