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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.555 of 2026
and
Crl.M.P(MD)Nos.610 & 611 of 2026

Vallinayagam ... Petitioner/Accused No.4

Vs.

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli.
(Crime No.283/2022) ... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records connected with the case in S.T.C.No.174 of 2023 pending on the file of the Learned Judicial Magistrate, Radhapuram, Tirunelveli and quash the same as illegal as against the petitioner.

For Petitioner : Mr.A.Prabhu Raj

For Respondent : Mr.B.Thanga Aravindh
Government Advocate(Crl.side)

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ORDER

Seeking to quash the final report in S.T.C.No.174 of 2023 pending on the file of the Learned Judicial Magistrate, Radhapuram, Tirunelveli, this criminal original petition is filed.

2. The case of the prosecution is that the accused persons drove two-wheelers in a rash and negligent manner on the Thisayanvilai - Uvari Bypass Road, causing disturbance to the public by engaging in racing activities. For which F.I.R in Crime No.283 of 2022 came to be registered for the offences under Section 336 IPC and 189, 191 and 181(3) of Motor Vehicles Act, 1988 and the same culminated in filing a final report in S.T.C.No.174 of 2023 before the file of the Learned Judicial Magistrate, Radhapuram, Tirunelveli.

3. The learned counsel for the petitioner submitted that the petitioner will not indulge in rash, negligent, dangerous and unlawful riding of any motor vehicle in future.

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4. Considering his young age, this Court required the petitioner to file an affidavit undertaking that he will not will not indulge in rash, negligent, dangerous and unlawful riding of any motor vehicle violating the mandates of Motor Vehicles Act, 1988 or cause any inconvenience to the general public in future. In this regard, the petitioner had filed an affidavit dated 26.02.2026. Recording the same, the impugned final report in S.T.C.No.174 of 2023 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli is quashed. The undertaking affidavit, dated 26.02.2026 shall form part and parcel of the order.

5. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

27.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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L.VICTORIA GOWRI, J.

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To

1.The Judicial Magistrate,
Radhapuram, Tirunelveli.

2.The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.555 of 2026

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