



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

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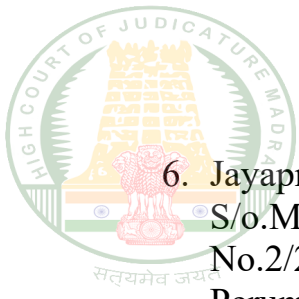
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No.19040 of 2026

AND

CRL MP Nos.12680 & 12681 OF 2026

1. Dhayananth
S/o.Jayaprakash,
No.2/265, Kaliyamman Kovil Street,
Perumagoundanpatti, Elampillai,
Salem District.
2. Prakash
S/o.Palanisamy,
141, Kumarasampuram,
Mannathampalayam (Po),
Modakurichi (TK),
Erode District.
3. Velmurugan
S/o.Muthusamy Gounder,
No.46, Uthandipalayam,
Ganapthipalayam Post,
Erode District.
4. Selvaraja
S/o.Kaveri Gounder,
No.9, 5th Street, Nehru Nagar West,
Kalapatti Main Road,
Coimbatore District.
5. Palanivel
S/o.Nallathambi Gounder,
Plot No.51, Sri Subramaniam Street,
Sri Sastha Nagar,
Jagir Ammapalayam Post,
Salem District.

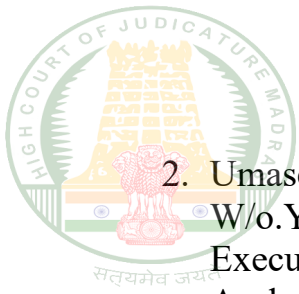


6. Jayaprakash
S/o.Murugesu Gounder,
No.2/265, Kaliyamman Kovil Street,
Perumagoundampatti, Elampillai,
Salem District.
7. Thangavel
S/o.Muthusamy Gounder,
Marappampalayam, Sivagiri,
Kodumudi Taluk,
Erode District.
8. Somasundaram
S/o.Ganapathi Gounder,
No.20/685, Valluvar Street, Savadipalayam
Pudur,
Nanjaiuthukuli Taluk,
Modakurichi,
Erode District.
9. Gobi @ Muthukumar
S/o.Palanisamy,
R.P.Kalayan Store, Theeran Rice Mill,
Nall Road, Ganapathipalayam Post,
Modakurichi Taluk,
Erode District.
- 10.Vijayakumar
S/o.Nataraj,
NO.78, Muniyappampalayam,
Pasur (Post),
Erode District.

..Petitioner(s)

Vs

1. The Inspector of Police,
Malayampalayam Police Station,
Erode District.
Crime No.46/2024



2. Umaselvi
W/o.Yuvaraj,
Executive Officer,
Arulmigu Mathiyapureeswarar Kalyana
Varatharaja,
Perumal Kulavikkamman Thirukovil,
Nanjai Kaalamangalam, Modakurichi Taluk,
Erode District.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records relating to C.C.No.13 of 2026 on the file of the District Munsif -cum-Judicial Magistrate, Kodumudi, Erode District and quash the same in respect of the Petitioners.

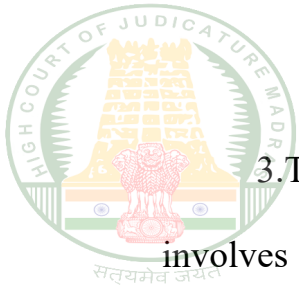
For Petitioner(s): Mr.K.V.Muthuvisakan

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (criminal Side) For R1

Order

The prayer in the Criminal Original Petition is to call for the records relating to C.C.No.13 of 2026 on the file of the District Munsif-cum-Judicial Magistrate, Kodumudi, Erode District. Upon considering the First Information Report, the material collected during the investigation, and the final report filed.

2.The crux of the allegation is that all these petitioners formed a trust and made representation as if they were conducting Annadhanam on behalf of the temple, collected. Money, and indulged in the same, while all the facilities were provided by the Hindu Religious and Charitable Endowments Department.



3. The learned counsel for the petitioners would contend that the case involves several factual aspects, by referring to the object of the trust etc. The contentions raised by the petitioners that they have not misappropriated any funds and they are a trust etc., are all factual issues, which can be adjudicated only during the trial. Therefore, while keeping open the liberty of the petitioner to raise all the grounds during the trial, this Criminal Original Petition is not entertained. At this juncture, the learned counsel for the petitioners pleads hardship in requiring the petitioners to attend the trial Court. In view thereof, the personal appearance of the petitioners before the trial Court, except for the hearings in which their presence is specifically insisted upon by the trial Court, shall stand dispensed with.

4. Accordingly, this Criminal Original Petition stands disposed of. Consequently, the connected Miscellaneous Petitions are closed.

17-07-2026

Neutral Citation: Yes/No

AH

To

1. The Inspector of Police,
Malayampalayam Police Station,
Erode District.
2. The District Munsif -cum-Judicial Magistrate,
Kodumudi.



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CRL OP No. 19040 of 2



D.BHARATHA CHAKRAVARTHY J.

AH

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