



Crl. O.P.(MD) No.2735 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD).No.2735 of 2025

and

Crl.M.P(MD).Nos.1822 and 1823 of 2025

C.Muralidharan

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep., by the Inspector of Police,
C-4, Thilagar Thidal Police Station,
Madurai District,
Crime no.1520 of 2009.

2. S.Selvakumar

... Respondents

PRAYER: To call for the records pertaining to the case in P.R.C.No.2/2018 on the file of the Learned Judicial Magistrate No.II, Madurai and Quash the same as illegal as far as the petitioner is concerned and pass such further or other orders.

For petitioner : Mr.J.Jeyakumaran

For R1 : Mr.P.Samuel Gunasingh
Government Advocate (Crl.Side)

For R2 : Mr.M.Jegadeesh Pandian



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ORDER

The present petition has been filed by the 4th accused in P.R.C.No.2 of 2018, on the file of the learned Judicial Magistrate No.II, Madurai, seeking to quash the charge sheet, wherein, the petitioner has charged with the offence under Sections 397, 395 and 365 r/w. 34 of IPC.

2. According to the learned counsel appearing for the petitioner the defacto complainant made allegations against one Murali, a native of Coimbatore. However, by mistake, the petitioner, who is a resident of Madurai has been arrayed as an accused. Therefore, the petitioner has prayed for the quashing of the charge sheet.

3. The learned Government Advocate (Crl.Side) appearing on behalf of the 1st respondent had produced a report filed by the 1st respondent. Paragraph 9 of the said report is extracted as follows:-

“9. It is respectfully submitted that later we have called the defacto complainant for the enquiry and he had given a statement that the petitioner is not the accused no.4 in this case and he did not see the petitioner earlier and he did not give any complaint against the petitioner; the said Murali is residing in Coimbatore and not the petitioner.”



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4. The learned counsel appearing for the second respondent, on instructions, submitted that the petitioner, who is a resident of Madurai, has been wrongly implicated in the case and that the complaint was lodged against one Murali, who is a resident of Coimbatore.

5. In such circumstances, continuation of the criminal proceedings against the petitioner herein would only be an abuse of process of law.

6. Considering the above said facts, the charge sheet in P.R.C.No.2 of 2018, on the file of the learned Judicial Magistrate No.II, Madurai stands quashed as against the petitioner alone. Accordingly, the criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

10.07.2026

Index : Yes / No

Internet : Yes / No

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Crl. O.P.(MD) No.2735 of 2025

R.VIJAYAKUMAR, J.

rgm

To:

1. The Judicial Magistrate No.II, Madurai
2. The Inspector of Police,
C-4, Thilagar Thidal Police Station,
Madurai District,
Crime no.1520 of 2009.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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