



CrI.O.P.(MD).No.13994 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD)No.13994 of 2026

and

CrI.M.P(MD) No.13574 of 2026

A.Vinady Anto

... Petitioner/Sole Accused

Vs

1. The State Represented by
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(Crime No.73 of 2025)

... 1st Respondent/Complainant

2. Asheka Seles

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to Final Report 193 of 2025 before the learned Judicial Magistrate No.1, Padmanabhapuram along with M.P.No.405 of 2025 and transfer the same to the Additional District cum Sessions Court, Padmanabhapuram so as to jointly try along with C.C.No.231 of 2025 and pass such further or other orders as this Court may deem fit.

For Petitioner : Mr.S.C.Herold Singh



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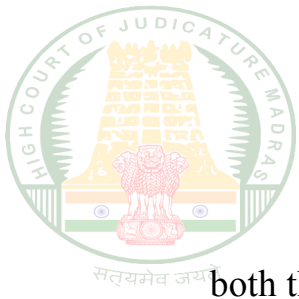
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For Respondent : Mr.B.Arun
Counsel for State of TN (Crl.Side)

ORDER

The present petition has been filed by the sole accused in C.C.No.231 of 2025 seeking a direction to call for the records pertaining to Final Report 193 of 2025 pending before the learned Judicial Magistrate No.1, Padmanabhapuram along with M.P.No.405 of 2025 and transfer the same to the Additional District cum Sessions Court, Padmanabhapuram so as to jointly try along with C.C.No.231 of 2025.

2. A perusal of the records reveal that in a case in counter case, the petitioner herein he is an accused and it has culminated into filing of the charge sheet in C.C.No.231 of 2025, which is pending before the Additional District-cum-Sessions Court, Padmanabhapuram. In the case wherein the petitioner is a complainant, the police officials have filed a final report in Crime No. 193 of 2025 which is pending before the Judicial Magistrate No.1, Padmanabhapuram. However, P.R.C number has not been assigned in view of the protest petition filed by the petitioner. In the said circumstances, the petitioner has come out with the present petition seeking simultaneous trial of



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both the cases.

3. In view of the full bench decision of this Court reported in **(2024) 3MLJ (Crl) 458 in (T.Balaji and another Vs.State represented by the Inspector of Police, New Washermenpet Police Station, Chennai and another)** and in view of Section 362 of BNSS 2023, there shall be a direction to the Judicial Magistrate No.1, Padmanabhapuram expeditiously dispose of Crl.M.P.No.405 of 2025 and thereafter proceed to commit the same to the Additional District-cum-Sessions Court, Padmanabhapuram to be simultaneously tried along with C.C.No.231 of 2025. The learned Additional District-cum- Sessions Court, Padmanabhapuram is directed to strictly adhere to the judgment of this Court reported in **1988 LW (Crl) 127 in (Ekambaram Vs.Sundaramoorthy)**.

4. With the above said observations, this Criminal Original Petition is disposed of. Consequently connected Miscellaneous Petition is closed.

13.07.2026

NCC : Yes/No
Index : Yes / No

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Internet : Yes / No
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To

1. The Judicial Magistrate No.1,
Padmanabhapuram.
2. The Additional District cum Sessions Court,
Padmanabhapuram.
3. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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