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Crl.O.P.(MD).No.21144 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.21144 of 2025

and

Crl.M.P(MD) Nos.18096 and 18099 of 2025

Venkatesha Poopathy @ Poopathi

...Petitioner/Accused No.5

Vs

1. The State Represented by
The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
(Crime No.21 of 2023)

... 1st Respondent/Complainant

2. Keerthivasan

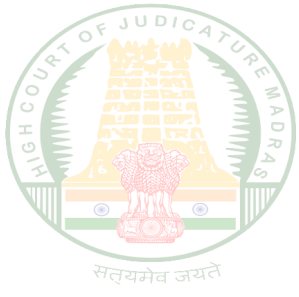
... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating in C.C.No.173 of 2024 pending before the District Munsif-cum- Judicial Magistrate Court, Ottapidaram, Thoothukudi District in so far as the petitioner is concerned.

For Petitioner : Mr.S.Sades Kumar

For R1 : Mr.G.Ganesh Kumar
Government Advocate (Crl.Side)

For R2 : No appearance



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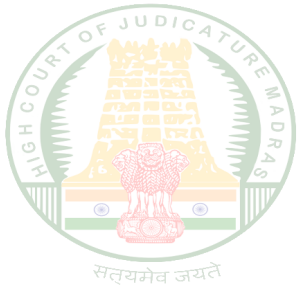
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ORDER

The present petition has been filed by A5 in C.C.No.173 of 2024, before the District Munsif-cum-Judicial Magistrate Court, Ottapidaram, Thoothukudi District, seeking to quash the charge sheet wherein, the petitioner is charged with the offences under Sections 147, 341, 294(b), 323, 324 and 506(2) of IPC.

2. A perusal of the charge sheet reveals that while conducting a Kabadi function, a dispute has arisen between two villagers and in the said dispute there was an altercation between the two groups and some of them have got injured.

3. A4 and A5 were absconding and therefore the case was split up and a full-fledged trial was conducted in C.C.No.116 of 2024. In the said case, except Investigation Officer all other prosecution witnesses have turned hostile and the other accuseds were acquitted on 11.09.2024.



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4. The case that was split up as against A4 and A5 has been numbered in C.C.No.173 of 2024. The present petition has been filed by A5 seeking to quash the charge sheet in C.C.No.173 of 2024.

5. According to the learned counsel appearing for the petitioner, there was a dispute between two villagers and it has been amicably settled between the parties and all of them have turned hostile in C.C.No.116 of 2024.

6. Though the second respondent has been served and name was also printed in the cause list, he has not chosen to appear in person or through his counsel.

7. Considering the fact that P.W.1 in C.C.No.116 of 2024 had turned hostile and all the accused persons have been acquitted, continuation of the criminal proceedings as against the petitioner would only be an abuse of process of law.

8. Considering the above said facts, the Charge Sheet in C.C.No.173 of 2024 on the file of the District Munsif-cum- Judicial Magistrate Court,



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Ottapidaram, Thoothukudi District, is hereby quashed as against the petitioner herein. Accordingly, this Criminal Original Petition is allowed.

Consequently connected Miscellaneous Petitions are closed.

28.07.2026

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

1. The District Munsif-cum- Judicial Magistrate Court,
Ottapidaram, Thoothukudi.
2. The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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R.VIJAYAKUMAR,J.

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