



Crl.O.P.(MD) No.14937 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.14937 of 2023

and

Crl.M.P.(MD)Nos.11826 and 11827 of 2023

M.Thimothy

... Petitioner

Vs.

1.State through
The Deputy Superintendent of Police,
Usilampatti, Madurai District.

2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Cr.No.6 of 2023)

3.Palraj

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of the impugned Charge sheet in Spl.S.C.No.57 of 2023 on the file of the Learned III Additional Special District Judge (PCR), Madurai dated 24.02.2023 and to quash the same as illegal.



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For Petitioner :Mr.L.M.Vijay Boominathan
For R1 and R2 :Mr.S.S.Madhavan
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking quashment of the charge sheet in Spl.S.C.No.57 of 2023 on the file of the learned III Additional Special District Judge (PCR), Madurai dated 24.02.2023.

2.It is submitted by the learned counsel that the allegations made against the petitioner are *omnibus* and even if the contents of the charge sheet are accepted to be correct, no case is made out against the petitioner. It is submitted further that the petitioner is a Bishop of a Church and therefore sought for dispensing with the presence of the petitioner also before the trial Court and has submitted that he would face the trial.

3.The learned Government Advocate (Crl.side) on the other hand while going through the contents of the charge sheet has submitted that there is



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allegations against the petitioner and therefore, the case as against the petitioner cannot be quashed.

4.In view of the submissions made by the learned counsel on either side, this Petition is disposed of directing the trial Court to dispose of Spl.S.C.No.57 of 2023 as quickly as possible. The presence of the petitioner is also dispensed with after the charges are framed during the course of trial. However, the trial Judge is at liberty to direct the petitioner to appear before the Court for answering the 313 Cr.P.C., examination or any other such purposes for smooth progression of trial. Consequently, connected Miscellaneous Petitions are closed.

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

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To

1.The III Additional Special District Judge (PCR), Madurai.

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- 2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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