



CrI.O.P.No.29236 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.29236 of 2024

R.Soundarajan

... Petitioner

Vs.

1. State by
Inspector of Police,
CCB, Coimbatore City,
Coimbatore.

2. K.Devasenapathy

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to call for the records in C.C.No.2993 of 2022 on the file of the Judicial Magistrate No.VII, Coimbatore and quash the same.

For Petitioner : Mr.W.Camyles Gandhi
for Mr.P.Saravana Sowmiyan

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1



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ORDER

This Criminal Original Petition is filed to quash the charge sheet in C.C.No.2993 of 2022 on the file of the Judicial Magistrate No.VII, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and perused the materials available on record.

3. On a perusal of the charge sheet and the statements recorded from the list witnesses under Section 161(3)Cr.P.C., this Court finds that, *prima facie* allegations made out against the petitioner/A3 and the grounds taken by the petitioner are matter for trial. Therefore, this Court is not inclined to quash the charge-sheet by invoking Section 528 BNSS of 2023. However, the petitioner is at liberty to take all his defences before the trial Court in C.C.No.2993 of 2022. The personal appearance of the petitioner before the trial Court is dispensed with, however, the petitioner is directed to appear before the trial Court as and when his presence is required for. If the petitioner is taking advantage of this order



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is for not appearing before the trial Court and protracting the proceedings, the trial Court is directed proceed with the case on merits and in accordance with law, even though the order of this Court is being passed today.

4. With the above directions, this Criminal Original Petition is dismissed.

28.11.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Judicial Magistrate No.VII,
Coimbatore.
2. The Inspector of Police,
CCB, Coimbatore City,
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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