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CRL OP No. 31423 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 31423 of 2025 and
Crl.M.P.Nos.21634 and 21635 and 2025**

Murugasamy

Petitioner

Vs

1. The Superintendent Of Police,
Office Of Superintendent Of Police,
Tiruppur District, Tiruppur.

2.The Inspector Of Police,
Cbcid, Tiruppur District.

3.The State Rep By The Inspector Of
Police,
Dharapuram Police Station, Tiruppur
District.

4.Sivalingam

Respondents

PRAYER Criminal Original Petition filed under Section 528 of B.N.S.S, 2023 praying to call for the records relating to C.C.No.274 of 2023 on the file of the Learned Judicial Magistrate, Dharapuram and set aside the same, consequently direct the 2nd respondent police to further investigated the case in Crime No.333 of 2019 on the file of the 3rd respondent and to file fresh final report.

For Petitioner: Mr.V.Regunathan

For Respondents: Mr.R.Vinothraja,



Government Advocate (Crl. Side)
for R1 to R3

ORDER

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The learned counsel for the petitioner submitted that though the petition has been filed to set aside the proceedings in C.C.No.274 of 2023 on the file of the learned Judicial Magistrate, Dharapuram, he may be permitted to raise all the grounds before the trial Court. However, he would seek that the presence of the petitioner before the trial Court may be dispensed with.

2. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that it is a case and case in counter and the cases are pending in C.C.Nos.274 and 123 of 2023 on the file of the Judicial Magistrate, Dharapuram.

3. Taking into consideration the limited relief sought by the petitioner, the presence of the petitioner before the trial Court viz., Judicial Magistrate, Dharapuram pertaining to the cases in C.C.Nos.274 and 123 of 2023, is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., / Section 351 of BNSS and on the date of pronouncing Judgment and also on any other dates as may be required by the trial Court. The petitioner shall file an affidavit of undertaking before the trial



Court that he will not dispute the identity and he will cooperate for the speedy disposal of the trial.

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4. With the above direction, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

18-11-2025

vum

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Superintendent Of Police,
Office Of Superintendent Of Police,
Tiruppur District, Tiruppur.

2.The Inspector Of Police,
Cbcid, Tiruppur District.

3.The State Rep By The Inspector Of
Police,
Dharapuram Police Station, Tiruppur
District.

4.The Public Prosecutor,
Madras High Court,
Chennai.



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A.D.JAGADISH CHANDIRA J.

vum

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