



Crl.O.P.No.14259 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.14259 of 2025

and

Crl.M.P.Nos.9842 & 9844 of 2025

Kawashkar

... Petitioner

Vs

1. The State of Tamil Nadu through,
The Inspector of Police,
Saravanampatty Police Station,
Coimbatore District.

2. Ganesan

... Respondents

PRAYER:

Criminal Original Petition filed under Section 528 of BNSS 2023, to call for the records in P.R.C.No.25 of 2024 pending before the Judicial Magistrate No.II Court, Coimbatore, Coimbatore District and quash the same as against the petitioner/Accused No.3.

For Petitioner : Mr.KA.Raamakrishnan

For R1 : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER



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This Criminal Original Petition has been filed to call for the records in P.R.C.No.25 of 2024 pending on the file of the Judicial Magistrate No.2 Court, Coimbatore, Coimbatore District and to quash the same as against the petitioner/Accused No.3.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) accepting notice for the first respondent-Police and perused the materials available on record.

3. The first respondent-Police registered a case against the accused persons for the offences under Sections 307, 120-B, 109, 115 and 326 of the IPC, in which, the petitioner arrayed as Accused No.3. After investigation, a charge sheet was laid and the same was taken on file in P.R.C.No.25 of 2024 by the Judicial Magistrate Court No.2, Coimbatore.

4. At the stage of PRC, the petitioner has filed this criminal original petition to quash the charge sheet on the ground that the other parties have entered into compromise. However, upon perusing of the materials, the charge sheet and the statement of witnesses, it is seen that offences are grave in nature, which are not compoundable offences.



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Hence, this Court finds that there are prima facie allegations made out against the petitioner. Hence, this Court is not inclined to quash the case in P.R.C.No.25 of 2024.

5. Since the offence is triable by the Court of Session, the learned Magistrate is required to commit the case to the Sessions Court concerned.

6. Hence, the learned Judicial Magistrate No.2, Coimbatore is directed to commit the case in P.R.C.No.25 of 2024 to the Court of Sessions concerned as early as possible.

7. With the abovesaid direction, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

03.06.2025

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To
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1. The Judicial Magistrate No.II Court, Coimbatore, Coimbatore District
2. The Inspector of Police,
Saravanampatty Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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Crl.M.P.Nos.9842 & 9844 of 2025**

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