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Crl.O.P.No.20993 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.20993 of 2025 and
Crl.M.P.No.14464 of 2025

1. K.Kumar @ Aavi Kumar
2. A.Akash Kumar

...Petitioners

Vs.

1. State represented by
The Inspector of Police,
Velankanni Police Station,
Nagapattinam District.

2. D.Arivazahalagan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS to call for the entire case bundle relating to C.C.No.149 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Kilvelur at Nagapattinam District and quash the same.

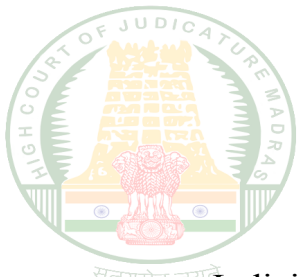
For Petitioners : Mr.L.K.Charles Alexander

For Respondents : Dr.C.E.Pratap,

Govt. Advocate (Crl.Side) for R1

ORDER

This petition has been filed seeking to quash the case in
C.C.No.149 of 2024 pending before the learned the District Munsif cum



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Judicial Magistrate, Kilvelur at Nagapattinam District.

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2 According to the petitioners, the victim's family have more influence and due to which, many FIRs were registered against these petitioners and other persons and they are being harassed by the respondent police and other local police. Therefore the present complaint is also one among them and the same is liable to be quashed.

3 The learned Government Advocate (Crl.Side) would submit that the defacto complainant was threatened by the accused to not to give evidence against the accused. In this case now charges were framed and the case is posted on 06.08.2025 for appearance of L.W.1.

4 Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the first respondent and perused the materials available on record.

5 A careful reading of the complaint, FIR and statement of witnesses clearly reveal *prima facie* allegations against the petitioners to proceed further. All the grounds taken by the petitioners are nothing but defence, which can be agitated and proved before the trial Court. This Court



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is not satisfied with the grounds taken by the petitioner, which, in fact, are not suffice to quash the case against the petitioners invoking Section 528 BNSS.

6 Accordingly, this Criminal Original Petition stands dismissed. Consequently connected miscellaneous petition is closed. However, the petitioners are at liberty to take all their defence before the trial Court.

28.07.2025

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Speaking /Non-speaking order

To

1. The District Munsif cum Judicial Magistrate,
Kilvelur at Nagapattinam District.
2. The Inspector of Police, Velankanni Police Station,
Nagapattinam District.
3. The Public Prosecutor, Madras High Court.



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P.VELMURUGAN, J.

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