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CRL OP No. 24642 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24642 of 2025 & CrI.M.P.No.16825 of 2025

1. S.Ravichandran
S/o. N.K.Subramanian,

2. S.Saravanan
S/o. N.K.Subramanian, Both at RCS
Street, Natrampalli Taluk, Thirupathur
Taluk, Thirupathur District.

Petitioner(s)

Vs

1. The State of Tamilnadu, Rep by,
Inspector of Police,
CCB, Salem (Cr.No.25/1999)

2.R.Kavitha
W/o. Rajamanickam, D.No.6A,
Narayanan Nagar, III rd Cross, Salem 5.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to set aside the order dated 04.08.2025 in CrI.MP.No.3742A of 2025 in CC.No.151 of 2005 on the file of the Learned Judicial Magistrate No.II, Salem.



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CRL OP No. 24642 of 201



For Petitioner(s): R. Selvakumar

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor – R1

ORDER

Challenge has been made to the Order of the trial Court dismissing the petition filed under section 317 of Cr.P.C. for dispensing with the personal appearance of A1 and A3, in the present Criminal Original Petition.

2, It is the contention of the learned counsel appearing for the petitioners that the Civil Court had already held that the petitioners are not liable to pay amount and the decree has been passed as against A4 in A.S.No.695 of 2010. In the present case, final report has been filed based on the agreement for sale. In the present petition, challenge is only with regard to the dismissal of the petition filed by the petitioners under section 317 Cr.P.C.

Considering the nature of the charges levelled against the petitioners, this Criminal Original Petition is allowed and the Order of the trial Court in



CrI.M.P.No.3742 of 2025 dated 04.08.2025 is set aside. The trial Court is

directed to dispose of the main case in C.C.No.151 of 2005 within a period of three months from the date of receipt of a copy of this Order taking note of the judgment passed in A.S.No.695 of 2010 and the fact that the entire dispute is arising out a civil transaction which has already been decided and decree has been passed. If any warrant is issued against the petitioners, the same shall be recalled. Consequently, connected miscellaneous petition is closed.

10-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Judicial Magistrate No.II,
Salem.

2. The Inspector of Police,
CCB, Salem (Cr.No.25/1999)



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N.SATHISH KUMAR J.

vrc

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