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CRL OP No. 25931 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25931 of 2025

and

CRL MP Nos.17623 & 17624 of 2025

1. T.Thirumavalavan,
S/o. M.Thangavelu, Elaiyur Madura
Koriyampatti Village, Andimadam
Taluk, Ariyalur District.

Petitioner(s)

Vs

1. The State Represented by
The Inspector of Police,
Jayankondam Police Station, Ariyalur
District. (Crime No. 287/2011)

2. Shanmugam
S/o. Samydurai, Main Road, Elaiyur,
Udayarpalayam Taluk, Ariyalur
District.

Respondent(s)



PRAYER This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in CC.No.27/2025 pending on the file of learned Judicial Magistrate, Jayankondam, Ariyalur District and to quash the same.

For Petitioner(s): Mr.K.Balu

For Respondent(s): Mr.R.Vinoth Raja,
Government Advocate (Crl.Side)
for R1

ORDER

This Criminal Original Petition has been filed to call for the records in CC.No.27/2025 pending on the file of the learned Judicial Magistrate, Jayankondam, Ariyalur District and to quash the same.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent-Police and perused the materials available on record.

3. The allegation as against the petitioner is that the petitioner has kicked the de-facto complainant with shoe and also abused him with filthy language. Whether the allegation levelled against the petitioner is true or false is a matter of evidence. Merely because of delay in taking the case on file cannot be the



ground to quash the F.I.R. On a perusal of the records, this Court does not find any merit in this petition.

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4. However, personal appearance of the petitioner before the trial Court 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 fixed by the trial Court. Since the F.I.R is of the year 2011 and considering the huge delay, the trial Court is directed to dispose of the case in C.C.No.27 of 2025 as early as possible.

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

22-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The Judicial Magistrate,
Jayankondam, Ariyalur District
2. The Inspector of Police,
Jayankondam Police Station, Ariyalur
District. (Crime No. 287/2011)
3. The Public Prosecutor,
High Court, Chennai.



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N.SATHISH KUMAR J.

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