



Crl.O.P.(MD) No.818 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.818 of 2024

and

Crl.M.P.(MD) No.484 of 2024

Sinthumurugan

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Aruppukottai Division,
Virudhunagar District.

3.Ravi,
Election Officer / Block Development Officer,
Watrap Panchayat Union,
Virudhunagar District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973/Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records relating to S.C.No.249 of 2023 on the file of the learned Additional District and Sessions Judge, Srivilliputtur and quash the same against this petitioner.



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For Petitioner : Mr.C.Susikumar

For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the impugned final report in S.C.No.249 of 2023, on the file of the learned Additional District and Sessions Judge, Srivilliputtur, filed against the petitioner for the offences punishable under Section 353 of the Indian Penal Code, 1860, Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, and Sections 131 and 135 of the Representation of the People Act, 1951.

2. The allegation against the petitioner and others is that, during the election, a quarrel arose between two groups, and the petitioner and others damaged the immovable properties of the Panchayat Office, causing loss to the tune of Rs.2,76,600/-, and thereby committed the offences.

3. The learned counsel for the petitioner would submit that the allegations are false and that, in fact, the petitioner had given a detailed



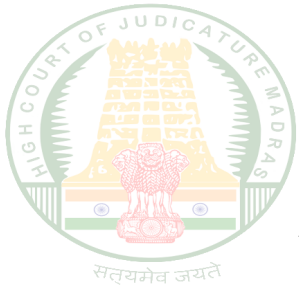
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representation stating as to why he has been implicated in this case, as he was not even present at the scene of occurrence.

4. Heard the learned Additional Public Prosecutor for the first and second respondents.

5. The points raised by the petitioner are factual in nature. This Court, in this quash petition, cannot adjudicate as to whether the petitioner was present at the scene of occurrence or whether the witnesses are speaking the truth. These points have to be raised before the trial court. Hence, this Criminal Original Petition is liable to be dismissed.

6. However, considering the request of the petitioner, his appearance before the trial court on all hearing dates is dispensed with, except when his presence is required by the trial court for the progress of the trial. If the petitioner does not comply with the direction of the learned Judicial Magistrate regarding his appearance, the relief granted by this Court dispensing with his appearance will lose its efficacy, without further reference to this Court.



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7. Hence, with liberty as stated above, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

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Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Additional District and Sessions Judge,
Srivilliputtur,
Virudhunagar District.
- 2.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
- 3.The Deputy Superintendent of Police,
Aruppukottai Division,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SUNDER MOHAN, J.



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