



Crl.R.C.(MD)No.747 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.747 of 2025

and

Crl.M.P(MD)No.8112 of 2025

J.Thirupathiraj

... Petitioner

Vs.

1.The Station House Officer,
Dindigul Town North PS,
Dindigul.

2.V.Moorthy

... Respondents

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records and to set aside the impugned order made in Crl.M.P.No.11156 of 2024 in SC.No.167 of 2017 on the file of the Assistant Sessions Judge @ CJM Court, Dindigul, dated on 28.11.2024 and allow the above Criminal Revision Petition.

For Petitioner : Mr.J.Thirupathiraj

For R1 : Mr.M.Sakthi KUmar
Government Advocate (Crl. Side)

For R2 : No Appearance



Crl.R.C.(MD)No.747 of 2025

WEB COPY

ORDER

Challenging the order passed by the Chief Judicial Magistrate Court, Dindigul in Crl.M.P.No.11156 of 2024 in S.C.No.167 of 2017, dated 28.11.2024, this criminal revision case is filed.

2. The petitioner herein is the 2nd accused in S.C.No.167 of 2017 and he along with 1st accused filed a discharge petition before the learned Chief Judicial Magistrate. However, the same came to be dismissed recording the fact that on the date of hearing the discharge petition, the case was pending since 2017 and charges were also framed as early as on 21.07.2020 and P.W.1 has also been examined and Exhibit P.1 was marked through him. However, P.W.1 was not cross examined and in the interregnum on 13.03.2020, Crl.M.P.No.2081 of 2020 was filed by the petitioner and the same was also dismissed by Chief Judicial Magistrate on 15.11.2021. It was also recorded that the petitioner continuously indulge in filing various petitions before the learned Trial Court as well as this Court for the purpose of protracting the trial and recording that the stage of the case is cross of P.W.1 from the date of 27.01.2020 and



Crl.R.C.(MD)No.747 of 2025

WEB COPY

advising the petitioner to face the trial, the discharge petition came to be dismissed by the impugned order.

3. The petitioner appeared in person and categorically submitted that the F.I.R is the manipulated F.I.R and the learned Trial Court ought to have discharged him from the criminal case and pressed for allowing this criminal division case.

4. Per contra, the learned Government Advocate(Crl.Side) submitted that the petitioner had already filed an application to transfer the case from Dindigul to Madurai and the same was allowed on 24.02.2025 in Crl.O.P(MD)No.21438 of 2024 and duly S.C.No.167 of 2017 has already been transferred to the Chief Judicial Magistrate Court at Madurai and the same is posted on 22.07.2025 for appearance of accused. He pressed for dismissing the criminal revision case.

5. Heard the petitioner who appeared in person and the learned Government Advocate(Crl.Side) and carefully perused the material available on record.



Crl.R.C.(MD)No.747 of 2025

WEB COPY

6. Considering the fact that the case was pending before the learned Chief Judicial Magistrate, Dindigul, for cross of P.W.1, I do not find any merits in this case.

7. Hence, this Criminal Revision Case is dismissed. Consequently, connected Miscellaneous Petition is closed.

17.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

gbg

To

1.The Assistant Sessions Judge @ CJM Court,
Dindigul.

2.The Chief Judicial Magistrate,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD)No.747 of 2025

L.VICTORIA GOWRI ,J.

gbg

Order made in
Crl.R.C.(MD)No.747 of 2025

Dated: 17.07.2025