



Crl.O.P.(MD)Nos.3856 and 3401 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD) Nos.3856 and 3401 of 2025

and

Crl.M.P(MD) Nos.4349, 2349, 2350 and 3690 of 2025

Crl.OP(MD) No.3856 of 2025

S.Raheem

... Petitioner

Vs

1. The Inspector of Police,
Thiruvadanai Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.
Crime No. 265/2022.

...1st Respondent/ Complainant

2. V.Mohana Sundaram

... 2nd Respondent/Defacto
complainant

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records of the complaint in C.C.No.14 of 2025 u/s 419, 34 of IPC on the file of the learned Judicial Magistrate, Thiruvadanai and quash the same as devoid of merits against the petitioners.

For Petitioner : Mr.Kamaraj.S

For R1 : Mr.A.S.Abdul Kalam Azad
Government Advocate(Crl.Side)

For R2 : No appearance



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Mohammed Jibrin

... Petitioner/7th Accused

Vs

1. The State of Tamilnadu,
Represented by its the Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
Cr No.265/2022.

...1st Respondent/Complainant

2.V.Mohana Sundaram

... 2nd Respondent/Defacto
complainant

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the Charge Sheet in C.C.No.14 of 2025 pending on the file of the learned Judicial Magistrate, Thiruvadanai and Quash the same as against the petitioner.

For Petitioner	: Mr.G.Karuppasamypandiyan,
For R1	: Mr.A.S.Abdul Kalam Azad Government Advocate(CrI.Side)
For R2	: No appearance

COMMON ORDER

These Criminal Original Petitions have been filed to quash the charge sheet in C.C.No.14 of 2025 pending on the file of the learned Judicial Magistrate, Thiruvadanai.



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2. The petitioners are arrayed as accused Nos.7 and 9 in C.C.No.14 of 2025 for the offences punishable under Sections 419 and 34 of IPC, on the file of the learned Judicial Magistrate, Thiruvadanai.

3. The case of the prosecution is that the petitioners, along with ten other persons, were arrayed as accused and they attended the Court hearing on 22.12.2022 in C.C.No.95 of 2017, pending before the learned Judicial Magistrate, Thiruvadanai. During the said hearing, accused No.1 in that case is alleged to have impersonated accused No.11 and made his appearance. The petitioners were also present before the Court on that day for hearing. Hence, the present case.

4. The learned counsel for the petitioners would submit that the trial Court Clerk had given a complaint as against the first accused, namely Riswan, and subsequently, a charge sheet has been filed including the names of the petitioners also. It is submitted that there is no specific allegation as against the petitioners and the case is foisted against them. Hence, they seek to quash the proceedings in C.C.No.14 of 2025 on the file of the learned Judicial Magistrate, Thiruvadanai.



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5. The learned Government Advocate (Crl.Side) would submit that the case was registered as against the petitioners pursuant to the order passed by this Court in W.P.(MD) No.12899 of 2023, dated 11.07.2024.

6. Heard the learned counsel for the petitioners in both cases and the learned Government Advocate (Crl.Side).

7. The grounds raised by the learned counsel for the petitioners in both cases can be raised only during the course of trial.

8. Insofar as the request made in Crl.O.P.(MD) No.3401 of 2025 for dispensing with the personal appearance of the accused before the trial Court is concerned, the reasons assigned by the petitioners in that regard may be placed before the concerned trial Court by filing a suitable application.



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9. With the above observations, these Criminal Original Petitions are dismissed, with liberty to the petitioners to raise all the grounds before the concerned trial Court. Consequently, connected Miscellaneous Petitions are closed.

13.08.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Indu

To

- 1.The Inspector of Police,
Thiruvadanai Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

Indu

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