



Crl.O.P.(MD)No.13441 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13441 of 2025

and

Crl.M.P(MD)No.10681 and 10682 of 2025

Kulothungan

.. Petitioner /A3

versus

1.The State of Tamil Nadu rep. by
The Inspector of Police,
Sessions Court Police Station,
Trichy District.
(Crime No.288/2019)

2.Manohar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records connected with the case in C.C.No.779/2020 on the file of the Judicial Magistrate II, Tiruchirappalli and quash the same as illegal as against the petitioner.

For Petitioner : Dr.R.Alagumani

For R1 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl. Side)



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ORDER

The petitioner/A3 in Crime No.288 of 2019 has filed this Criminal Original Petition to quash the proceedings in C.C.No.779 of 2020, on the file of the learned Judicial Magistrate No.II, Tiruchirappalli.

2.The respondent police registered a case against the petitioner for the offences under Sections 406 and 420 IPC, alleging that the petitioner, along with other accused, had received a sum of Rs.4,00,000/- from the defacto complainant on the false promise of immediately securing a job for him in the Transport Corporation. A final report was filed before the Judicial Magistrate No.II, Tiruchirappalli, in C.C.No.779 of 2020, and the same is still pending.

3.The learned counsel for the petitioner submits that the petitioner is employed as a Conductor in the State Express Transport Corporation (SETC). It is contended that the petitioner was not present on the date of the alleged occurrence and that the defacto complainant has fraudulently lodged complaints alleging that the petitioner, along with A1 and A2, had obtained money from him by giving false promise that they will secure a job in the Transport Corporation. It is further submitted that the petitioner had received a sum of Rs.2,40,000/- only as debt.



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4.Mr.A.S.Abul Kalaam Azad, learned Government Advocate (Crl.side), who takes notice for the respondent strongly objects for quashing the proceedings in CC No.779 of 2020 and submits that the offence is against the society and the grounds raised by the petitioner is a matter for trial.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

6.Though the petitioner has raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Court is not inclined to entertain this petition and accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to raise all these grounds before the trial Court, during trial. Consequently, connected miscellaneous petitions are closed.

12.08.2025

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



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To

1. The Judicial Magistrate II, Tiruchirappalli
2. The Inspector of Police,
Sessions Court Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

skn

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