



Crl.O.P.(MD)No.7998 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.7998 of 2025

and

Crl.M.P(MD) Nos.6001 and 6002 of 2025

1. Karthick Sundaram
2. Nagajothi
3. Muthumari
4. Maheshpriya

.. Petitioners

Vs.

1. The Inspector of Police
K.Pudur Police Station
Madurai City

2. Dinesh

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the proceedings in C.C. No. 156 of 2025 on the file of the learned Judicial Magistrate No.VI , Madurai and quash the same in so far as the petitioners concerned.

For Petitioners : Mr.S.Veerapandi Selvaraj

For Respondents : Mr.M.Vaikkam Karunanithi
No.1 Government Advocate(Crl.Side)



Crl.O.P.(MD)No.7998 of 2025

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ORDER

This Criminal Original Petition has been filed to quash the charge sheet in C.C. No. 156 of 2025 on the file of the learned Judicial Magistrate No.VI, Madurai

2. According to the petitioners based on the complaint given by the second respondent the first respondent registered a case in Crime No. 318 of 2024 for the offences under Sections 3(2)(a), 4(2)(c), 5(1)(f) and 6(1)(b) of Immoral Traffic Prevention Act. The petitioners have been falsely implicated in this case and no any materials are available as against this petitioners however the first respondent filed charge sheet and therefore the pending charge sheet is liable to be quashed.

3. The learned counsel appearing for the first respondent would submit that based on the complaint given by the second respondent first respondent registered a case in Crime No. 318 of 2024 for the offences under Sections 3(2)(a), 4(2)(c), 5(1)(f) and 6(1)(b) of Immoral Traffic Prevention Act and thereafter after investigation filed final report and as per the final report there are *prima facie* materials available to proceed



against the accused to constitute the above mentioned offences, hence he has to face the trial and thereby the petition is liable to be dismissed.

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4. This Court heard both sides and perused the materials available on record.

5. On perusal of the same, it is seen that there are some *prima facie* materials available to constitute the offence as against the petitioners and veracity of the statement recorded during the investigation and documents collected cannot be tested before this Court and therefore it needs elaborate trial and there is no merits in the petition and it is liable to be dismissed.

6. At this juncture the learned counsel appearing for the petitioners submitted that personal appearance of the petitioners before the trial Court may be dispensed with.

7. Considering the nature of the case and also the facts and circumstances of the case it is appropriate to accept the request of the petitioners. Accordingly the personal appearance of the petitioners before the trial Court is dispensed with and the trial Court is at liberty to take



Crl.O.P.(MD)No.7998 of 2025

appropriate steps for the appearance of the accused as and when required for further proceedings of this case. Consequently connected miscellaneous petitions stand closed. However considering the long pendency of the case this Court directs the trial Court to complete the trial proceedings in CC No.156 of 2025 as early as possible without giving long adjournments beyond one week. However it is for the magistrate to issue summons to the petitioners if their appearance is absolute necessary.

29.04.2025

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

1. The Judicial Magistrate No.VI , Madurai
2. The Inspector of Police
K.Pudur Police Station
Madurai City
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.7998 of 2025

P.DHANABAL,J.

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Crl.O.P.(MD)No.7998 of 2025

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