

CrI.O.P.(MD)No.9625 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.9625 of 2025

and

CrI.M.P.(MD)No.7031 & 7034 of 2025

1.Rengasamy

2.Mathi @ Mathivanan

3.Kannappan

4.Mani

... Petitioners

Vs.

1.The Inspector of Police,
Namanasamuthiram Police Station,
Pudukottai District.
(Crime No.143 of 2024)

2.Ramu

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records pertaining to the case in C.C.No.19 of 2025 on the file of the Judicial Magistrate Court, Thirumayam, Pudukottai District and quash the same as illegal as against the petitioners.



WEB COPY



CrI.O.P.(MD)No.9625 of 2025

For Petitioners

: Mr.R.Paranjothi

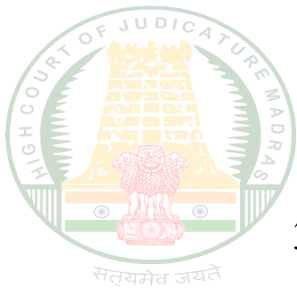
For R1

: Mr.A.S.Abul Kalaam Azad,
Government Advocate(Crl.side)

ORDER

The petitioners, who are arrayed as A1 to A4 in C.C.No.19 of 2025 on the file of the learned Judicial Magistrate, Thirumayam, have filed the present petition to quash the said proceedings.

2.The case of the prosecution is that the second respondent had made a comment on Panchayat President for laying road. Due to the said motive, the accused persons abused the second respondent in filthy language and also assaulted him. Therefore, the second respondent lodged a complaint before the first respondent, based on which, a case in Cr.No.143 of 2024 has been registered. After completion of investigation, the first respondent has filed a final report, which was taken on file in C.C.No.19 of 2025 by the learned Judicial Magistrate, Thirumayam. Challenging the same, the petitioners filed the present petition.



WEB COM

3.The learned counsel appearing for the petitioners submits that without conducting a proper investigation, the first respondent has filed the final report mechanically. Further, he submits that three witnesses have been cited as eye witnesses by the prosecution. The said witnesses have written a letter to the learned Judicial Magistrate that they have not witnessed the occurrence.

4.The learned Government Advocate(Crl.side) appearing for the first respondent submits these three witnesses have stated before the respondent Police that they have witnessed the occurrence and based on that only they have recorded their statements. Unfortunately, they have not obtained signature from the witnesses and taking advantage of the same, now letters have been sent to the learned Magistrate that they have not witnessed the occurrence. It is not known as to whether these letters have been written by the witnesses by themselves or under any threat or coercion from the accused. It has to be decided only before the trial Court. According to the learned Government Advocate(Crl.side), these eye witnesses may even depose before the trial Court and the respondent Police will ensure that these three witnesses would depose in a proper manner.



CrI.O.P.(MD)No.9625 of 2025

WEB COPY 5.This Court has considered the submissions made on either side and perused the materials available in record.

6.As rightly pointed out by the learned Government Advocate(Crl.side), the grounds raised in the present petition have to be appreciated only during the course of trial. Therefore, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court. Consequently, connected miscellaneous petitions are closed.

10.06.2025

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



CrI.O.P.(MD)No.9625 of 2025

WEB COPY

- 1.The Judicial Magistrate Court,
Thirumayam,
Pudukottai District.
2. The Inspector of Police,
Namanasamuthiram Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.9625 of 2025

B.PUGALENDHI,J

gns

CrI.O.P.(MD)No.9625 of 2025

10.06.2025