



CrI.O.P.(MD)No.8351 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.8351 of 2025
and
CrI.M.P.(MD)Nos.6423 & 6425 of 2025

1.Pandi

2.Mohana Sundharam

3.Karuppuchamy

4.Karuppu Raja

5.Pugalenth

... Petitioners

Vs.

1.The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
(Crime No.155 of 2018)

2.Parthiban

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the entire records in relating to the impugned charge sheet in C.C.No.121 of 2018 on the file of the learned District Munsif-cum-Judicial Magistrate, Ilayangudi and quash the same insofar as the petitioners are concerned.



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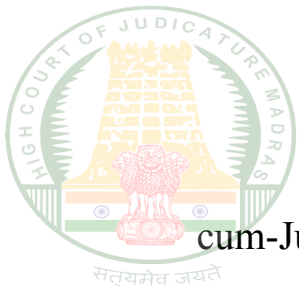
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For Petitioners : Mr.M.S.Jeyakarthik
For R1 : Mr.P.Kottaichamy,
Government Advocate(Crl.side)

ORDER

This criminal original petition has been filed to quash the charge sheet in C.C.No.121 of 2018 on the file of the learned District Munsif-cum-Judicial Magistrate, Ilayangudi.

2.The case of the prosecution is that before 25 years back, a statue of Pasumpon Muthuramangalingathevar was installed in S.No.277, Kumarakurichy Village, without any prior permission and also without following due process of law and therefore, the Revenue Officials covered the statue with white cloth. On 13.07.2018, without prior permission, the accused persons tried to open the statue, illegally. Therefore, the second respondent lodged a complaint, based on which a case in Cr.No.155 of 2018 came to be registered. Upon completion of investigation, the first respondent has filed the final report, which was taken on file in C.C. No.121 of 2018 by the learned District Munsif-



cum-Judicial Magistrate, Ilayangudi. Challenging the same, the petitioners filed the present petition.

3.The learned counsel appearing for the petitioners submits that the petitioners were not present in the scene of alleged occurrence and due to political motive, they have been falsely implicated in the case. Accordingly, he prays to quash the impugned proceedings.

4.The learned Government Advocate(Crl.side) appearing for the first respondent submits that the grounds raised by the petitioners, have to be appreciated only before the trial Court during the course of trial. Accordingly, he prays to dismiss the present petition.

5.This Court considered the rival submissions made on either side and perused the materials available in the records.

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



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petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court. Consequently, connected miscellaneous petitions are closed.

02.06.2025

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

To

- 1.The District Munsif-cum-Judicial Magistrate,
Ilayangudi.
- 2.The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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