

CRL A(MD) No.715 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-02-2025

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

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CRL A(MD) NO. 715 of 2024
and
CRL MP(MD)NO. 9131 of 2024

Murugan
S/o. Ponnaiah, Nedunkarapatti Street, Pandalgudi,
Virudhunagar District.

Appellant(s)

Vs

The Deputy Superintendent of Police,
Aruppukottai. And 2 Others

Respondent(s)

For Appellant(s):
Ms.Lakshmi Gopinathan

For Respondent(s):
Mr.P.Kottaichamy, Government Advocate (Crl. Side) for R1 and R2

No appearance for R3

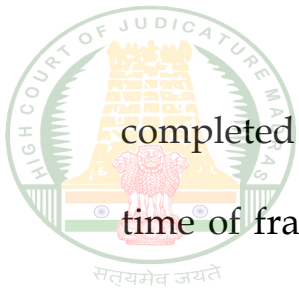
ORDER

This Criminal Appeal is filed as against the order passed by the trial Court in the application filed by the appellant u/s.227 CrPC to discharge him from the case in Spl.SC.No.39 of 2023.

2.The second respondent Police has registered a case as against this appellant in Crime No.85 of 2022 for the offence u/s.341, 294(b), 324 IPC r/w Section

<https://www.mhc.tn.gov.in/judis>

3(1)(r), 3(1)(s), 3(2)(va) of SC / ST (POA) Act. The investigation was



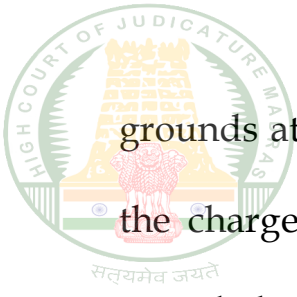
completed by the first respondent and the final report was also filed. At the time of framing of charges, the appellant / accused has filed an application u/s.227 CrPC to discharge him from the case. The trial Court dismissed the application that a *prima facie* case is made out and that it cannot go in detail at the stage of framing of charges.

3.Learned Counsel for the appellant, by referring to the First Information Report and the materials placed by the investigation agency, submitted that the prosecution case is an exaggerated one and that the offence under the provisions of SC / ST (POA) Act has been inserted intentionally.

4.Learned Government Advocate (Crl. Side), by referring to the order passed by the trial Court and the materials placed by the investigation agency, submitted that there is no reason to interfere and that the charges have now been framed and the case is posted for trial.

5.This Court considered the rival submissions made on either side and perused the materials placed on record.

6.The grounds raised by the appellant in this application can be proved only during the trial. Therefore, this Court is not inclined to discuss about the



grounds at this stage, which would affect the defence of the appellant. Since the charges have already been framed, the appellant has to work out his remedy before the trial Court.

7. Accordingly, this criminal appeal stands dismissed. Consequently, connected miscellaneous petition is closed.

26-02-2025

gk

To

1. The Deputy Superintendent of Police,
Aruppukottai.

2. The Inspector of Police,
Pandalgudi Police Station.
(Crime No. 85 of 2022)

3. Chellamuthu,
S/o. Muniyasamy,
6/113A, Muthalamman Kovil Street,
Pandalgudi, Aruppukottai.



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B.PUGALENDI, J.,
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