



Crl.O.P.(MD)No.10023 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.06.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.10023 of 2025
and Crl.M.P.(MD)Nos.7404 and 7405 of 2025

1. Balasubramaniyan
2. Marimuthu

... Petitioners

versus

1. The State of Tamil Nadu, Rep. by
The Deputy Superintendent of Police,
Pudukkottai,
Pudukkottai District.

2. State of Tamil Nadu,
The Inspector of Police,
Vellanoor Police Station,
Pudukkottai District.

3. Thangaraj

... Respondents

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Spl.S.C.No.6 of 2025 on the file of the Special Sessions Court for SC/ST (PCR) Act Cases, Pudukkottai and quash the same.

For Petitioners : Mr.D.Rameshkumar
For R1 and R2 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl. Side)



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ORDER

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The petitioners have filed this petition seeking to quash the proceedings pending against them in Spl.S.C.No.6 of 2025 on the file of the Special Sessions Court for SC/ST (PCR) Act, Pudukkottai, for the offence under Sections 296(b), 115(2), 74, 127(2), 351(2) of BNS 2023 r/w. Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA)Act.

2. The learned counsel appearing for the petitioners submits that there is a civil dispute between the family members of the petitioners and the respondents 3 and 4 and therefore, this case has been registered as against the petitioners. He further submits that the alleged occurrence had taken place in a private place and not in public view and therefore, it would not attract the provisions of Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act. Apart from that, the petitioners have also raised several grounds in this petition.

3. The learned Government Advocate (Crl. Side) appearing for the first respondent submits that the grounds raised by the petitioners are matter for trial.



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4. Though the petitioners have raised several grounds, this Court is of the opinion that the grounds raised by the petitioner can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court during trial. Consequently, connected miscellaneous petitions are closed.

16.06.2025

Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

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To

1. The Deputy Superintendent of Police,
Pudukkottai,
Pudukkottai District.
2. The Inspector of Police,
Vellanoor Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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