



CrI.O.P.(MD)No.11488 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.11488 of 2025
and
CrI.M.P.(MD)Nos.8707 & 8709 of 2025

- 1.Palanichamy
- 2.Muniyapushpam
- 3.Balakrishnan
- 4.Rajendran
- 5.Gopal
- 6.Shanmugathai
- 7.Samuthiravalli
- 8.Ramalakshmi
- 9.Jeyalakshmi
- 10.Petchimuthuraja
- 11.Sudalai Raja
- 12.Tamilselvi

... Petitioners

Vs.

1.The Inspector of Police,
Aruppukottai Town Police Station,

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



Crl.O.P.(MD)No.11488 of 2025

Virudhunagar District.
Crime No.198 of 2020.

WEB COPY

2.Mohankumar

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the proceedings in C.C.No.202 of 2023 on the file of the Learned Judicial Magistrate, Aruppukkottai and Quash the same as for as the Petitioners.

For Petitioners : Mr.A.Ananda Raj

For R1 : Mr.A.S.Abul Kalaam Azad
Government Advocate(Crl.side)

ORDER

The petitioners, who are A1 to A12 in C.C.No.202 of 2023 on the file of the Learned Judicial Magistrate, Aruppukkottai, have filed this petition to quash the said proceedings.

2.The case of the prosecution is that there was a property dispute between the accused persons and the defacto complainant. Due to which, the accused persons abused the defacto complainant and also assaulted him and two other persons.



WEB COPY 3. The learned counsel appearing for the petitioners submits that the petitioners and the defacto complainant are close relatives and this case has been foisted due to property dispute. He further submits that the petitioners are innocent persons and they have not committed any offence.

4.The learned Government Advocate(Crl.side) appearing for the first respondent submits that there are three injured witnesses in this case. The final report has been filed based on the four eye witnesses. Further, he 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.The prosecution has laid the final report based on four eye witnesses, out of which, three witnesses are injured. The prosecution has also relied on the statement of the Doctor and the wound certificate



Crl.O.P.(MD)No.11488 of 2025

issued by him. It is also reported that the trial has been commenced. As
WEB CO 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.

7.At this juncture, the learned counsel appearing for the petitioners
prays to dispense with the personal appearance of the petitioners before
the trial Court. It is open to the petitioners to file necessary application
to dispense with their personal appearance before the trial Court and it is
for the trial Court to consider the same, depending on its merits.

8.Accordingly, this criminal original petition is dismissed with
liberty to the petitioners to raise all these grounds before the trial Court.
Consequently, connected miscellaneous petition is closed.

08.07.2025

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

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



CrI.O.P.(MD)No.11488 of 2025

WEB COPY

To

- 1.The Inspector of Police,
Aruppukkottai Town Police Station,
Virudhunagar District.
- 2.The Judicial Magistrate,
Aruppukkottai .
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.11488 of 2025

B.PUGALENDHI,J

gns

CrI.O.P.(MD)No.11488 of 2025

08.07.2025