



Crl.O.P.(MD)No.11738 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11738 of 2025

1. Arjunan
2. Elangovan

... Petitioners

versus

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

2. R.Sathiskumar

3. Karuppusamy

4. Gopalakrishnan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the charge sheet in Split-up PRC No.32 of 2023 on the file of the learned Judicial Magistrate, Kamuthi, Ramanathapuram District and quash the same.

For Petitioners : Mr.B.Anandan

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

For R2 : Mr.E.Balasubramani



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ORDER

The petitioners are accused in Split-up PRC No.32 of 2023 pending on the file of the learned Judicial Magistrate, Kamuthi, Ramanthapuram District. The 1st petitioner is facing the charges for the offence under Sections 147, 148 and 324 IPC and the 2nd petitioner is facing the charges for the offence under Sections 147, 148 and 326 IPC. They have filed this petition seeking to quash the proceedings pending against them, on the ground that the issue has been amicably settled among themselves.

2. The learned Government Advocate (Crl. Side) opposed this petition that apart from the private respondents/victims, there are 11 other victims in this case.

3. The learned counsel appearing for the petitioners disputed the same and submits that the overt act attributed to the petitioners is only as against the private respondents, namely, the defacto complainant and two others and they are the victims, who are present before this Court.

4. This Court considered the rival submissions made.



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5. It appears that the case in Crime No.51 of 2013 was registered as against the petitioners and 8 others in the year 2013 and the final report was also filed in the year 2013. However, for want of the petitioners/accused Nos.2 and 5, the case was split up and tried separately in respect of other accused and that case was ended in acquittal. The petitioners, who evaded the criminal proceedings for more than 10 years, have appeared before this Court and filed this petition along with a compromise memo.

6. Considering the fact that apart from the private respondents, there are 11 other victims in this case and also considering the fact this case is of the year 2013 and it is still pending at PRC stage, this Court is not inclined to encourage the conduct of the petitioners, who evaded the proceedings for more than 10 years and as such, not inclined to quash the proceedings on the ground of compromise.

7. Accordingly, this Criminal Original Petition is dismissed.

25.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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B.PUGALENDHI, J.

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To

1. The Judicial Magistrate Court,
Kamuthi,
Ramanathapuram District
2. The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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