



Crl.O.P.(MD)No.20104 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.20104 of 2025

and

Crl.M.P.(MD).No.18611 of 2025

Victor

... Petitioner/5th Accused

Vs.

The Deputy Superintendent of Police,
Social Justice and Human Rights,
Tirunelveli.

... Respondent/Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records pursuant to the impugned charge sheet in SC.No.88 of 2025 on the file of II Additional District Court, Tirunelveli in Crime No.23 of 2024 on the file of AWPS, Nanguneri, Tirunelveli District and quash the same as illegal as devoid of merits insofar as the petitioner's concern alone.

For Petitioner : Mr.Raja.Karthikeyan

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to quash the impugned final report in S.C.No.88 of 2025 on the file of the II Additional District Court,



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Tirunelveli, which was filed for the offences under Section 376 of IPC as against the petitioner.

2. It is the case of the petitioner that originally, the first and second accused were cited as an accused for the alleged offence under Section 376 of IPC; and that subsequently, the petitioner and other accused have been added as the accused at the instance of the first accused to dilute the case against the first accused. It is also the case of the petitioner that the DNA report rules out the alleged offence of rape against the petitioner; and that the victim had also stated that she had no objection for grant of bail to the petitioner during the hearing of bail application.

3. This Court cannot appreciate all those facts in a quash petition. Therefore, this Court is inclined to dispose of the Criminal Original Petition with liberty to the petitioner to raise all these points at the stage of charge framing. It is needless to say that the learned Judge may consider all the points and frame charge only if there is sufficient material to proceed against the petitioner. Consequently, connected miscellaneous petition is closed.

26.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

- 1.The II Additional District Court,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Social Justice and Human Rights,
Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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