



CRL MP(MD) NO. 13668 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08-01-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP(MD) NO. 13668 of 2024

IN

CRL OP(MD) NO. 22032 of 2024

Maruthurajan alias Marudhu
S/o. Jeyabalan, 4/39A, Kamarajar Colony,
Vadamalaikurichi, Virudhunagar District.

Petitioner(s)

Vs

The State of Tamil Nadu
Rep. by The Sub-Inspector of Police,
Amathur Police Station, Virudhunagar.
(In Crime No. 305 of 2020) and another

Respondent(s)

For Petitioner(s):

Mr.Naresh Prabu.A, Advocate

For Respondent(s):

Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side) for R1

ORDER

The petitioner, A6 in S.T.C.No.1155 of 2022 on the file of the learned Judicial Magistrate No. II, Virudhunagar District, who is facing trial for the offence punishable under Section 147 of the IPC, has filed the Criminal Original Petition for the quashing of the C.C.



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2.The primary ground on which the petitioner has made his submission is that one Pandiselvi had lodged a complaint, and the case was registered in Crime No.304/2020, in which the second respondent/defacto complainant is A1. The occurrence in Crime No.304/2020 took place on 07.08.2020 at 19:00 hours. In the present case, Crime No.305/2020, the occurrence took place on the same day, i.e., 07.08.2020, but at 19:30 hours. The Investigation Officer investigated both cases and filed charge sheets in both cases. The petitioner along with other accused is facing trial in S.T.C.No.1155 of 2022. Against the second respondent/defacto complainant, the charge sheet in C.C.No.372 of 2022 is pending before the Judicial Magistrate No. II, Virudhunagar. A4 in C.C.No.372 of 2022 has filed a quash petition before this Court in Crl.O.P.(MD) No.18421 of 2023. This Court, by an order dated 21.12.2023, had quashed the proceedings in C.C.No.372 of 2022 with the following observations:

5.As mentioned in the preamble portion, it is a case and counter. Reading of the final reports, in both matters, both the occurrences taken place on the very same day, at the same time. Since both are case and counter case, without verifying, who are the aggressors, final report



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has been filed in both matters. The Investigating Officer has not followed the procedures enunciated in PSO588-A.

3. The same ground is applicable to the petitioner herein. In fact, the occurrence in C.C.No.372 of 2022 took place at an earlier point in time than the occurrence in the present case.

4. Finding force in the above submissions, this Court is inclined to grant an order of interim stay of all further proceedings in S.T.C.No.1155 of 2022, pending before learned Judicial Magistrate No. II, Virudhunagar District. Accordingly, an order of interim stay is granted.

sd/-
08/01/2025

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/01/2025

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO

1 THE JUDICIAL MAGISTRATE NO.II
VIRUDHUNAGAR DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB-INSPECTOR OF POLICE,
AMATHUR POLICE STATION,
VIRUDHUNAGAR.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

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Date :08/01/2025

SS/GSV/SAR- /20/01/2025/ 4P/5C

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