



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 1276 of 2026

Crl.M.P.Nos.770 and 771 of 2026

1. M.Manikandan.
2. J.Gnanaprakasam

..Petitioners

Vs

1. State Represented by
The Inspector of Police,
Veepankuppam Police Station,
Vellore District.

2. Prem jothi

..Respondents

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records of the case in S.C.No. 110 of 2019 on the file of the learned Additional District Judge (Fast Track Court), Vellore and quash the same.

For Petitioners :	Mr.G.Paramasivam
For Respondent-1 :	Mr.S.Santhosh Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed to quash the proceedings against the petitioners in S.C.No. 110 of 2019, pending on the file of the learned Additional District Judge (Fast Track Court), Vellore.



2. The learned counsel appearing for the petitioners submitted that the petitioners are relatives of the first accused and without there being any materials and any specific overt act attributed against them, they have been unnecessarily roped in this case.

3. *Per contra*, the learned Government Advocate (Criminal Side) appearing for the first respondent submitted that this is a case of case and counter and that the allegation against the petitioners is that they have, with the common intention, joined along with other accused, committed murder and there are witnesses who have spoken about the presence of the petitioners. In this case, charges have been framed.

4. At this juncture, the learned counsel appearing for the petitioners sought permission of this Court to withdraw this petition and also made an endorsement to that effect. However, he submitted that as this is a case of case and counter and a case in S.C.No.123 of 2021 is pending on the file of the same court, the learned District Judge, Fast Track Court, Vellore, may be directed to follow the directions of the Hon'ble Supreme Court in the case of ***Nathi Lal and others vs. State of U.P. and another*** reported in ***1990 (Supp) SCC 145*** and also follow the Full Bench decision of this Court in the case of ***T.Balaji and another vs. State rep. by the Inspector of Police, New Washermenpet Police Station,***



Chennai reported in **2024 Madras Weekly Notes (Cri) 497 (FB)** for simultaneous trial.

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4. In view of the submission and the endorsement made by the learned counsel appearing for the petitioners, this Criminal Original Petition is dismissed as withdrawn. Further, acceding to the submission of the learned counsel for the petitioners, this Court directs the learned District Judge, Fast Track Court, Vellore, to conduct the trial in the cases pending in S.C.No. 110 of 2019 and S.C.No.123 of 2021 simultaneously by following the directions given in **Nathi Lal's** case (cited supra) **and T.Balaji** case (cited supra). Consequently, connected criminal miscellaneous petitions are closed.

23-01-2026

Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No

SRM

To

1. The Additional District Judge,
(Fast Track Court),
Vellore.
2. The Inspector of Police,
Veepankuppam Police Station,
Vellore District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

SRM

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