



Crl.O.P.No.16701 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 01.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.16701 of 2026
and Crl.M.P.Nos.11059 and 11061 of 2026

1. Abdul Rahman
2. Rasheed

.. Petitioners

Versus

1. State rep by it's
Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.

2. Sirajuddin

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating in C.C.No.177 of 2024 on the file of the Judicial Magistrate Court, Thiruthuraipoondi and quash the same.

For Petitioners : Mr.M.Abdul Kareem

For Respondents : Mr.M.Mohamed Riyaz,
Government Advocate (Criminal Side),
for R1



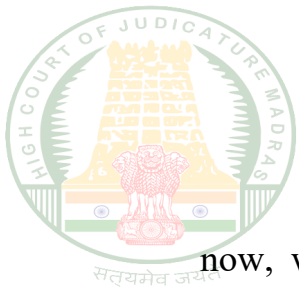
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ORDER

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The prayer in this Criminal Original Petition is to quash the proceedings relating to C.C.No.177 of 2024 on the file of the learned Judicial Magistrate, Thiruthuraipoondi.

2. Upon hearing the learned Counsel on either side and perusing the material records of the case, it is seen that the occurrence is said to have happened on 04.04.2010. It is the case of prosecution that when the injured witness was standing before Pulavar Thirumanamandapam, Ammapalli within the limits of the Muthupettai Police Station, the 12 accused in this case, on account of previous enmity, abused him in filthy language and also hit him and caused simple injuries. As such, a case was registered for the offences under Sections 147, 148, 294(b), 323, 324 and 506(i) of the Indian Penal Code. Originally, the case was taken on file as C.C.No.251 of 2010. Since these petitioners and several other accused did not appear, the case was split up and the said Calendar Case was continued as against accused Nos.7, 10 and 11 and the accused were acquitted. Thereafter, in the further split up cases in C.C.No.84 of 2012, C.C.No.86 of 2012, the accused Nos.4 and 12 and the accused Nos.2 and 6 respectively were also acquitted after trial. It is under these circumstances,



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now, when the accused Nos.3 and 9 are facing the proceedings in the subsequent split up case in C.C.No.177 of 2024, they are before this court.

3. I have perused the judgments rendered in the earlier split up cases.

4. After considering the entire evidence on record, it was found that the prosecution witnesses, P.W.2, P.W.3, P.W.5, P.W.6 and P.W.7 turned hostile. Out of them, only P.W.2 and P.W.7 alone were cross examined, but, no favourable answers were elicited from them. Even from the other evidence, the Trial Court has found that there is no evidence to connect the accused with the occurrence and ultimately, giving benefit of the doubt, the other accused were acquitted. It can be seen that the allegation is general in nature, stating that all the 11 accused joined together and attacked the de facto complainant. It is not as if separate overtact is available with reference to separate accused. The evidence of the prosecution is general in nature. The case of the present accused is no different from the earlier accused who underwent trial in repeated split up Calendar Cases where the Courts have acquitted them. Therefore, no useful purpose will be served in conducting the trial once



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again against the accused Nos.3 and 9. It must also be seen that the occurrence was of the year 2010 and now, 16 years have also passed by.

For all the above reasons, I am of the view that the petitioners are entitled to succeed.

5. This Criminal Original Petition stands allowed. The proceedings in C.C.No.177 of 2024 on the file of the learned Judicial Magistrate, Thiruthuraipoondi stands quashed in its entirety. Consequently, connected miscellaneous petitions are closed.

01.07.2026

Neutral Citation : no
grs

To

1. The Judicial Magistrate,
Thiruthuraipoondi.
2. The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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