



WEB COPY

CRL RC No. 302 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**CRL RC No. 302 of 2026
& CrI.M.P.No.2254 of 2026**

Akash
S/o.Chandran,
1st Main Road,
No.63, Nahoorar Thottam,
Veerampattinam,
Puducherry.

..Petitioner(s)

Vs

The State rep by
The Station House Officer,
Cuddalore New Town Police Station,
Cuddalore District.
Crime No.386 of 2023

..Respondent(s)

Prayer: This Criminal Revision is filed under Sections 438 r/w 442 of BNSS, to set aside the order dated 28.10.2025 made in CrI.M.P.No.1436 of 2024 in S.C.No.230 of 2023 on the file of the Learned I Additional District and Sessions Judge Cuddalore by allowing the present Criminal Revision Petition.

For Petitioner(s):

Mr.Kannan K

For Respondent(s):

Mr.R.Vinothraja,

Government Advocate (Crl. Side)

ORDER

The Revision challenged the dismissal of the discharge petition filed by the petitioner arrayed as A23 in a case filed under Sections 120B, 147, 341, 342,



294(b), 506(ii) r/w 149 IPC.

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2.The petitioner sought for discharge, mainly on the ground that he could not have been present in the scene of occurrence, as he was in another city participating in a sports event.

3.The trial Judge dismissed the said petition stating that alibi has to be proved in the trial.

4.This Court of the view that at the stage of charge framing, the defence of alibi cannot be decided.

5.Hence, This Court finds no infirmity in the said order.

6.Accordingly, the Revision is dismissed. Consequently, the connected criminal miscellaneous petition is closed.

12-02-2026

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

TSG



To

1.The Station House Officer,
Cuddalore New Town Police Station,
Cuddalore District.
Crime No.386 of 2023.

2.The I Additional District and Sessions Judge
Cuddalore.



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SUNDER MOHAN, J.

TSG

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