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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-10-2026

CORAM

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

CRL OP(MD) No. 999 of 2025

CNR:{HCMD010048512025}

and Crl.M.P(MD)Nos.647 & 648 of 2025

M.Veerakumar

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
   Rep. by the Sub Inspector of Police,
   Thiruchuli Police Station,
   Virudhunagar District.
   Crime No. 157/2012.

2. P.K.Venusekaran
   Revenue Tasildar,
   Taluk Office,
   Aruppukottai,
   Virudhunagar District.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the Charge Sheet in S.C.No.254/2023, on the file of the learned Additional District and Sessions Judge, Aruppukottai, and quash the same as illegal in respect of the petitioner.

For Petitioner(s): M/s.P.Banuprasath

For Respondent(s): M/s.B.Arun
Government Advocate(Crl.Side) for R1

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ORDER

The present petition has been filed by A5 in S.C.No.254 of 2023, on the file of the learned Additional District Judge, Aruppukottai, Virudhunagar District, seeking to quash the charge sheet wherein he is charged with the offences under Sections 147, 148, 294(b), 341, 323, 353, 336 of IPC and Sections 3(1) and 5 of TNPPDL Act, 1992 r/w Section 149 of IPC.

2. The petitioner and 40 others were initially implicated in S.C.No.98 of 2014, on the file of the Additional District and Sessions Court, Virudhunagar. The petitioner was arrayed as A42. Since A12, A16, A17, A26, A35, A36 and A42 were absconding. Their cases were were split up and numbered as S.C.No.34 of 2023. After trial, the rest of the accused persons in S.C.No.98 of 2014, were acquitted by an order dated 15.09.2023.

3. A12, A17, A35, A36 and A42 were still absconding and therefore, S.C.No.34 of 2023, was further split up, wherein A16 and A26 alone were the accused persons. S.C.No.34 of 2023, was disposed of by the dedicated Bench of this Court in a s*uo motu* TR.(MD)No.11493 of

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2025, wherein P.R.C.No.1 of 2021, was quashed on 03.09.2025, which resulted in acquittal of A16 and A26.

4. Accused persons, namely, A12, A17, A35, A36 and A42 who are absconding and got split up from S.C.No.34 of 2023, were arrayed as an accused in S.C.No.254 of 2023. The present application has been filed by A42 in original S.C.No.98 of 2014, who is now arrayed as A5 in S.C.No.254 of 2023, seeking to quash the charge sheet.

5. According to the learned Counsel appearing for the petitioner, the dedicated Bench in its order dated 03.09.2025, in Suo motu TR(MD)No.11493 of 2025, had specifically pointed out that when the evidence is inseparable and indivisible, the absconding co-accused persons need not undergo the trial. Admittedly, the allegations as against the petitioner herein who was an absconding accused in S.C.No.98 of 2014 as well as in S.C.No.34 of 2023, remains inseparable and indivisible from the evidence recorded in C.C.No.98 of 2014.

6. In such view of the matter, continuation of the criminal proceedings as against the petitioner herein would only be an abusive process of law and in such circumstances, the charge sheet as against A5

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(original A42 in C.C. No.98 of 2014) stands quashed. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are also closed.

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

RJR

To

1. The learned Additional District and Sessions Judge,
   Aruppukottai.

2. The Sub Inspector of Police,
   Thiruchuli Police Station,
   Virudhunagar District.

3. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

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R.VIJAYAKUMAR, J.

RJR

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