



CrI.OP.(MD)No.4854 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.4854 of 2026

and

CrI.M.P(MD)Nos.5202 & 5203 of 2026

1.Selvakumar

2.Tamil Selvam

3.Selvam

...Petitioners/Accused Nos.2,4 & 6

Vs

1.State of Tamil Nadu Represented by
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.527 of 2015)

...Respondent No.1/
Complainant

2.Manimegalai

...Respondent No.2/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records connected with the case in S.C.No.386 of 2023, on the file of the Sessions (Mahila) Court, Madurai and quash the same as illegal as against the petitioners.



Crl.OP.(MD)No.4854 of 2026

For Petitioners : Dr.R.Alagumani

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed by the accused Nos. 2,4 & 6 in S.C.No.386 of 2023, on the file of the Sessions (Mahila) Court, Madurai seeking to quash the charge-sheet.

2. A perusal of the records revealed that already all the accused persons A1 to A24 have filed Crl.O.P(MD)No.19758 of 2018 before this Court to quash the P.R.C.No.14 of 2017, on the file of the Judicial Magistrate, Thirumangalam. This Court, by an order dated 20.04.2023 had allowed the quash petition with regard to Accused Nos.2 to 24 and proceeded to dismiss the quash petition as against the accused Nos.1 to 5. However, this Court has granted an order of dispensing with the personal appearance of the accused Nos.1 to 5 on certain conditions in paragraph number 12 of the order.

3. The present second quash petition has been filed by the accused Nos.2,4 & 6 on the ground that the directions issued by this Court in



Crl.OP.(MD)No.4854 of 2026

paragraph No.13 of the order in Crl.O.P(MD)No.19758 of 2018 have not been complied with.

3. He further submits that the committal proceedings were completed on 17.07.2023 and now the criminal case is pending before the Sessions (Mahila) Court, Madurai, however for the past one year, the official witnesses are not appearing despite summons being issued. He further submits that this Court has granted an order of dispensing with the personal appearance in favour of accused Nos.1 to 5, the same has not been accepted by the trial Court on the ground that such an order would be applicable only to the PRC proceedings and not at the stage of S.C.No.386 of 2023.

4. Considering the fact that the prayer of the petitioners to quash the charge-sheet has already been dismissed by this Court, this Court is not inclined to entertain the second quash petition in view of the fact that no new grounds are raised. However, the directions issued by this Court have not been complied with by the trial Court in view of the non- appearance of the official witnesses, this Court is inclined to pass the following order:-



Crl.OP.(MD)No.4854 of 2026

WEB COPY

a) The order passed by this Court in Crl.O.P(MD)No.19758 of 2018, dated 20.04.2023 in respect of dispensing with the personal appearance of A1 to A5 continues to be applicable in S.C.No.386 of 2023 also, and therefore, the trial Court shall not insist upon the personal appearance.

b) The prosecution is directed to marshal their witnesses before the trial court in compliance with the orders of this Court in Crl.O.P(MD)No. 19758 of 2018;

c) The trial Court is directed to dispose of the criminal case on or before 31.07.2026.

5. With the said observations, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

05.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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Crl.OP.(MD)No.4854 of 2026

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To

- 1.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
2. The Sessions (Mahila) Court, Madurai
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.OP.(MD)No.4854 of 2026

R.VIJAYAKUMAR, J.

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Crl.OP.(MD)No.4854 of 2026

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