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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.3784 of 2026

M.Mayalagu

...Petitioner/Accused No.6

Vs

1. State of Tamilnadu,
Rep by the Inspector of Police,
AWPS-Manamadurai,
Sivagangai District.
(Crime No. 11/2015)

...1st Respondent/Complainant

2. M.Muthuirulayee

...2nd Respondent /Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records pertaining to the charge sheet in CC No.375/2022 in Crime No.11/2015 against the petitioner accused No.6 pending trial before the learned Judicial Magistrate, Manamadurai, and quash the same as illegal.

For Petitioner : M/s.S.Radhakrishnan

For Respondents : M/s.N.Balasubramanian
Counsel for State of TN(crl.side)
for R1
Mr.R.Udhayakumar for R2



ORDER

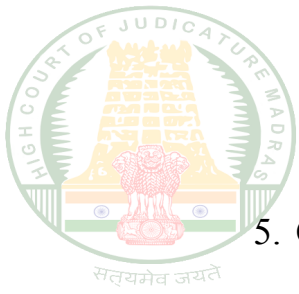
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The present petition has been filed by the 6th accused in C.C.No.375 of 2022 on the file of the learned Judicial Magistrate, Manamadurai, seeking to quash the charge sheet wherein the petitioner is charged with the offences under Sections 498(A), 294(b), 406, 506(ii), 494 r/w Section 109 of IPC.

2. According to the learned Counsel appearing for the petitioner, he is no way connected with the offence and he has been falsely implicated.

3. The learned Counsel appearing for the second respondent brought to the notice of the Court that the charge sheet was laid in the year 2022. P.W.1 was chief and cross examined on 25.11.2025 and P.W.2 was chief and cross examined on 19.01.2026. He further submits that the petitioner has also participated in the cross examination. The present quash petition has been filed on 16.02.2026. In such an event, according to him, the quash petition cannot be entertained after the commencement of the trial.

4. I have considered the submissions made on either side and perused the materials available on record.



5. Considering the fact that already the charge sheet has been taken on file in the year 2022 and the evidence of P.W.1 and P.W.2 have been recorded in November 2025 and January 2026, the present quash petition having been filed on 16.02.2026, this Court is not inclined to entertain the present petition. The trial has already begun and therefore, in such circumstances, the petitioner having waited for four years to file the quash petition, cannot seek the indulgence of this Court.

6. According to the learned Counsel appearing for the petitioner, the petitioner has received appointment orders and the pendency of the criminal case would cause great hardship to him. The trial Court is directed to dispose of the criminal case on or before 31.10.2026.

7. With the above said observations, this Criminal Original Petition stands dismissed.

02.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1.The learned Judicial Magistrate,
Manamadurai.

2. Tthe Inspector of Police,
AWPS, Manamadurai,
Sivagangai District

Copy to:-

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



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R.VIJAYAKUMAR, J.

RJR

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