



Crl.OP(MD).No.6378 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2026

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.6378 of 2026
and
CrI.M.P.(MD).No.6913 of 2026

1. SILUVA ARUL CHANDRU
2. PRADHISH @ SANJAI PRATHEESH
3. IRUTHAIYA YOVAN @ IRUTHAYA YOVAN ...Petitioners/Accused
Nos.1, 2 and 5

Vs

1. State Of Tamilnadu Rep By
Inspector Of Police,
Radhapuram Police Station,
Tirunelveli District.
Crime No.187 of 2021.

2. Thirumal ...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records in C.C.No.57 of 2023 on the file of the Judicial Magistrate, Radhapuram, Tirunelveli District and Quash the same as against the petitioners and pass such further orders.



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Crl.OP(MD).No.6378 of 2026

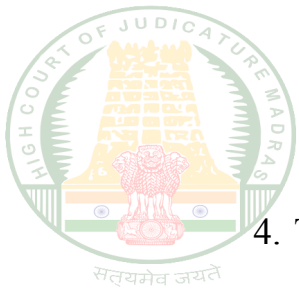
For Petitioner : M/s.R.Ponkarthikeyan
For Respondent No.1 : Mr.P.Samuel Gunasingh
Counsel for State of TN (crl.side)
For Respondent No.2 : Mr.P.Mani Anandth

ORDER

The present petition has been filed by the Accused Nos.1,2 and 5 in C.C.No.57 of 2023 on the file of the Judicial Magistrate, Radhapuram, Tirunelveli District seeking to quash the charge sheet, wherein, they are charged with the offences under Sections 147, 148, 294(b), 506(2) of IPC.

2. According to the learned Counsel appearing for the petitioner, the defacto complainant has not lodged any complaint against them. He further submits that the fourth accused had preferred Crl.O.P.(MD).No.11574 of 2022 before this Court, seeking to quash the FIR. On that date, the defacto complainant appeared before the Court and submitted that he had not lodged any complaint against any of them. Relying on the said submission, this Court quashed the FIR vide order dated 29.06.2022 in Crl.O.P.(MD).No.11574 of 2022.

3. According to the learned Counsel appearing for the petitioner, the charge sheet has now been laid against the other accused persons.



Crl.OP(MD).No.6378 of 2026

4. Today, the defacto complainant is present in person before this Court and has requested the Court to enquire with him. Accordingly, this Court directed the concerned Station House Officer to identify the defacto complainant. Upon identification, he confirmed that he is the defacto complainant. On enquiry, the defacto complainant stated that he had not lodged any complaint against the petitioners herein on the said date.

5. In view of the above facts, the continuation of the criminal proceedings against the petitioners herein would amount to an abuse of process of law.

6. Considering the above facts, the charge sheet in C.C.No.57 of 2023 on the file of the Judicial Magistrate, Radhapuram, Tirunelveli District, is hereby quashed. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

03.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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Crl.OP(MD).No.6378 of 2026

R.VIJAYAKUMAR, J.

gvn

To:-

1. The Judicial Magistrate,
Radhapuram,
Tirunelveli District.
2. The Inspector Of Police,
Radhapuram Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.OP.(MD)No.6378 of 2026

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