



CrI.O.P.(MD).No.9180 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD)No.9180 of 2025

and

CrI.M.P(MD) Nos.6686 and 6687 of 2025

1. Priyatharshan
2. Madasamy
3. Esakkimuthu
4. Maharajan

... Petitioners/
Accused No.7,8,10&11

Vs

1. State of Tamil Nadu
Represented by
The Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli.
(Crime No.179 of 2019)

... 1st Respondent/
Complainant

2. Rajasuthan

... 2nd Respondent/ Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records of the impugned charge sheet in S.C.No.496 of 2023 on the file of the Chief Judicial Magistrate, Tenkasi and quash the same as illegal.



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For Petitioners : Mr.P.Edin Brough
For R1 : Mr.B.Arun
Counsel for State of TN(Crl.Side)
For R2 : No appearance

ORDER

The present Criminal Original Petition has been filed by A7, A8, A10 and A11 in S.C.No.496 of 2023 on the file of the Chief Judicial Magistrate, Tenkasi, seeking to quash the charge sheet, wherein the petitioners are charged with the offences under Sections 147, 148 and 341 of IPC.

2. A perusal of the charge sheet reveals that the petitioners and others are said to have intercepted a government bus and attacked the driver of the bus. A perusal of the charge sheet further reveals that A2 is said to have attacked the driver of the bus and caused damage to the bus to a tune of Rs.8,000/-. The other accused persons are said to have stopped the bus.

3. According to the learned counsel appearing for the petitioners, the petitioners were implicated in a similar offence on the same day and an FIR came to be registered in Crime No.462 of 2019 on the file of the Alangulam



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Police Station, Thirunelveli District, wherein similar charges were laid as against the petitioners herein.

4. The petitioners herein had filed CrI.O.P(MD) No.10462 of 2021 seeking to quash P.R.C.No.10 of 2021, on the file of the Judicial Magistrate, Alangulam. This Court by an order dated 18.08.2023, has quashed the said committal proceedings. Paragraph No.10 of the said order is extracted as follows:

“10. On careful reading of the above said judgment, it is clear that without specific overt act, case against the petitioners can be quashed by this Court. In this case also there is no specific overt act as against the petitioners. In view of the above said judgment and considering the fact that the petitioners are degree holders and searching jobs and considering all other aspects, this Court is inclined to quash the impugned charge sheet. Accordingly, this Criminal Original Petition is allowed and proceedings in S.C.No.466 of 2021 pending on the file of the FTC, Tenkasi is quashed as against the petitioners herein. Consequently connected miscellaneous petitions are closed.”



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5. In the present case also, no specific overt act has been alleged as against the petitioners herein and in such circumstances, continuation of the criminal proceedings as against the petitioners would only be an abuse of process of law and in such circumstances, the charge sheet in S.C.No.496 of 2023 on the file of the Chief Judicial Magistrate, Tenkasi, is hereby quashed as against the petitioners alone. Accordingly, this Criminal Original Petition is allowed. Consequently connected Miscellaneous Petitions are closed.

30.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Chief Judicial Magistrate,
Tenkasi.
2. The Inspector of Police,
Seethaparpanallur Police Station,
Tirunelveli
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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R.VIJAYAKUMAR,J.

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