



Crl.O.P.(MD) No. 9066 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.06.2026

CORAM:

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

Crl. O.P(MD)No. 9066 of 2026
and
Crl.M.P.(MD) Nos.9709 & 9711 of 2026

Kumaraguru

... Petitioner

Vs

1. The State
rep. by Inspector of Police
Paramakudi Town Police Station
Paramakudi
Ramanathapuram.
(Crime No.567 of 2020)

2.Balamurugan

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records pertaining to C.C.No.27 of 2021 dated 25.02.2021 pending on the file of the learned Judicial Magistrate Court, Paramakudi and quash the complaint as against the Petitioner herein.

For Petitioner : Mr. T.Antony Arulraj

For R-1 : Mr.P.Samuel Gunasingh
Counsel for State of TN (Crl.Side)



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ORDER

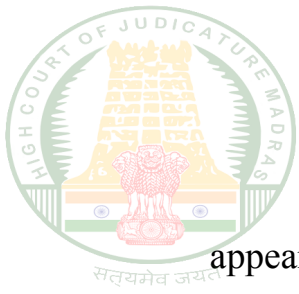
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The present petition has been filed by the first accused in C.C.No. 27 of 2021 on the file of the Judicial Magistrate Court, Paramakudi, seeking quash the charge sheet, wherein the petitioner is charged for the offences under Section 294(b), 323, 324 and 506(2) of IPC.

2. On perusal of the charge sheet reveals that the petitioner along with other accused persons said to have been attacked the defacto complainant and the defacto complainant said to have been sustained simple injuries.

3. According to the learned counsel for the petitioner, it is the case and case in counter and the Investigating Officer has not followed P.S.O. 566. He further submits that the Trial Court, while taking cognizance, has not passed detailed order. He further submits that no specific overt-act has been attributed as against the first accused.

4. *Per contra*, the learned Counsel for State of TN (Crl.Side)



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appearing for the first respondent would submit that a positive charge sheet has been filed in the case in which the present petitioner is the complainant in C.C.No.25 of 2021 before the same Court. He further submits that it is for the concerned Court to decide both the cases on merits by comparing the allegations found in both the charge sheets.

5. Heard both sides and perused the records.

6. As far as the allegations levelled in the case and counter case are concerned, which resulted in filing of positive charge sheet by the Investigating Agency, it is for the Trial Court to consider both the charge sheets and follow the judgement of the Hon'ble Full Bench of this Court in the case of ***T.Balaji and another vs. The State of Tamil Nadu*** reported in ***(2024) 4 LW 534 (FB)***. As far as the present petition is concerned, as the specific allegations are levelled as against the petitioner herein, this Court does not find any reason to quash the charge sheet. However, all the arguments of the petitioner are left open to raise before the Trial Court.



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7. With these observations, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

01.06.2026

To

1. The Judicial Magistrate, Paramakudi.

2. The Inspector of Police
Paramakudi Town Police Station
Paramakudi
Ramanathapuram.

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



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R.VIJAYAKUMAR.,J.

apd

ORDER MADE IN

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