



CrI.OP.(MD)No.11037 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2026

CORAM :

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.11037 of 2026

and

CrI.M.P.(MD).Nos.11066 & 11068 of 2026

Ramesh

...Petitioner

Vs

1. The State of Tamilnadu Rep. by
The Inspector of Police.
Thiruvadanai Police Station.
Ramanathapuram District.
Crime No. 115/2013.

2. Senthilkumar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records pertaining in P.R.C.No. 34/20222 on the file of the Learned Judicial Magistrate, Thiruvadanai and quash the same as illegal and pass such other orders as this Honble Court.

For Petitioner : M/s.A.Banumathy

For Respondent No.1 : Mr.P.Samuel Gunasingh

Government Advocate (crl.side)



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ORDER

The present petition has been filed by the sole accused seeking to quash the charge sheet, wherein the petitioner has been charged with the offence under Section 307 of the IPC and Section 5 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992.

2. A perusal of the charge sheet reveals that, at about 8:30 a.m. on 10.06.2013, the petitioner is alleged to have thrown a stone at a moving bus belonging to the TNSTC with the intention of causing death of the passengers, and damaged the bus, causing a loss to an extent of Rs.5,712/-.

3. According to the learned Counsel appearing for the petitioner, the petitioner is a mentally challenged person and he has been undergoing treatment since 2005. Therefore, he seeks to quash the charge sheet.

4. Heard the learned Counsel appearing on either side and perused the materials available on record.



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5. Insofar as the defence of the petitioner that the petitioner is a mentally challenged person is concerned, the same has to be established by adducing oral and documentary evidence before the trial Court. This Court cannot consider such a defence in a petition seeking quashing of the charge sheet. However, liberty is granted to the petitioner to raise all such defences before the trial Court.

6. With the said observations, this Criminal Original petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

18.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
gvn

To:-

1. The Judicial Magistrate, Thiruvadanai.
2. The Inspector of Police.
Thiruvadanai Police Station.
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

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