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**Mani Vs State by**

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**SooperKanoon Citation** : sooperkanoon.com/1849855

**Court** : Chennai Orders

**Decided On :** Jul-01-2025

**Judge** : Honourable Mr Justice P. Velmurugan

**Appeal No.** : CRL OP/11592/2025

**Appellant** : Mani

**Respondent** : State by

**Judgement** :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN and Crl.M.P.Nos.7708 & 7709 of 2025

1. Mani

2. Meena ... Petitioners Vs

1. State represented by, The Inspector of Police, Barur Police Station, Krishnagiri District.

2. Manimegalai ... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS 2023, to call for the records in connection with the charge sheet in C.C.No.40 of 2024 on the file of the District Munsif cum Judicial Magistrate Court, Pochampalli, Krishnagiri District and to quash the same. For Petitioners : Mr.K.Thiruvengadam For R1 : Dr.C.E.Pratap Government Advocate (Crl.Side) For R2 : No appearance

## ORDER

This Criminal Original Petition has been filed to call for the records in connection with the charge sheet in C.C.No.40 of 2024 on the file of the District Munsif cum Judicial Magistrate Court, Pochampalli, Krishnagiri District and to quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the first respondent-Police and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the dispute

between the parties is civil in nature. The respondent-Police has given criminal colour to the civil dispute. With regard to dispute between the parties, wordy quarrel was arose between the parties and except that no other criminal incident has been taken place as alleged by the de-facto complainant. Hence, the petitioner prayed for quashing of the charge sheet.

4. On a reading of F.I.R and also charge sheet filed by the

respondent-Police, statement of witnesses recorded by the respondent-Police under Section 161Cr.P.C., and other materials, it is seen that prima facie allegations and materials are available as against the petitioner to proceed the case further. The grounds taken by the petitioners are nothing but defence which can be agitated only during the

course of trial before the Trial Court. Hence, this Court is not inclined to quash the case in C.C.No.40 of 2024 on the file of the District Munsif cum Judicial Magistrate Court, Pochampalli, Krishnagiri District.

5. In view of the above, this Criminal Original Petition is

dismissed. Consequently, connected miscellaneous petitions are closed. However, the petitioners are at liberty to take all their defence before the trial Court. 01.07.2025 mfa Index:Yes/No Speaking Order: Yes/No Neutral Citation: Yes/No To

1. The District Munsif cum Judicial Magistrate Court, Pochampalli, Krishnagiri District

2. The Inspector of Police, Barur Police Station, Krishnagiri District.

3. The Public Prosecutor, High Court, Chennai. P.VELMURUGAN, J mfa and Crl.M.P.Nos.7708 & 7709 of 2025 01.07.2025

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