



CRL.O.P.(MD)No.12254 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2023

CORAM

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**CRL.O.P.(MD)No.12254 of 2023**

**and**

**CrI.M.P.(MD).No.9612 of 2023**

Premkumar @ Selva Sreenath Prem ... Petitioner / Alleged Accused No.1  
Vs

1.State represented by  
the Inspector of Police,  
Ambasamudram Police Station,  
Tirunelveli District.  
(Crime No.11 of 2023)

..1<sup>st</sup> Respondent / Complainant

2.Arun Narayanan

..2<sup>nd</sup> Respondent / Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C,  
praying, to call for the records pertaining to the case registered in First  
Information Report in Crime No.11 of 2023 on the file of the first respondent  
and quash the same as illegal as far as the petitioner is concerned.

For Petitioner : Mr.G.Anto Prince

For R-1 : Mr.E.Antony Sahaya Prabahar  
Additional Public Prosecutor



CRL.O.P.(MD)No.12254 of 2023

WEB COPY

## **ORDER**

This petition is filed seeking quashment of the FIR in Crime No.11 of 2023 registered against him for the offences under Sections 341, 294 (b), 323 and 506 (2) of I.P.C.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the first respondent Police have conducted the investigation and filed charge sheet in Crime No.11 of 2023 for the offences under Sections 341, 294 (b), 323 and 506 (2) of I.P.C. and submitted the charge sheet by way of E-filing on 27.04.2023 on the file of the learned Judicial Magistrate, Ambasamudram.

3. Once the investigation has already been completed, this petition which is filed for quashment of FIR will automatically becomes infructuous as the cause does not survive for the petitioner to proceed with the case. However, it is submitted by learned counsel for the petitioner that even though the first respondent police stated to have submitted the charge sheet by online in the month of April, 2023, still the learned Judicial Magistrate, Ambasamudram, has not taken the said charge sheet on file. Therefore, insisted for continuation of this case which is filed for quashment of F.I.R. It is brought to the notice of this



CRL.O.P.(MD)No.12254 of 2023

respondent Police have been reporting this Court that they have completed the investigation and filed charge sheet through online but the same were not being taken on file which causes lot of inconvenience to the person who initiated to challenge the charge sheet.

4. Therefore, learned Judicial Magistrate, Ambasamudram, is directed to report as to whether the Police have filed the charge sheet in Crime No.11 of 2023 and if at all the charge sheet has already been filed, whether the same was taken on file. Learned Judicial Magistrate, Ambasamudram, also requested to indicate as to how many cases pending on the file of his Court which are to be taken on file after filing of the charge sheets. Though this petition is closed permitting the petitioner to challenge the charge sheet once it is numbered and once the reply is received from the learned Judicial Magistrate, Ambasamudram, the Registry is directed to place the same before this Court. Consequently, the connected miscellaneous petition is closed.

**07.07.2023**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
tsg



CRL.O.P.(MD)No.12254 of 2023

- 1.The Judicial Magistrate, Ambasamudram.
- 2.The Inspector of Police,  
Ambasamudram Police Station,  
Tirunelveli District.
- 3.The Registrar (Judicial),  
Madurai Bench of Madras High Court,  
Madurai.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



CRL.O.P.(MD)No.12254 of 2023

**DR.D.NAGARJUN, J.**

tsg

**CRL.O.P.(MD)No.12254 of 2023**

**07.07.2023**