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Crl.O.P.No. 17951 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2024

CORAM

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

Crl.O.P.No. 17951 of 2024

And

Crl.M.P.Nos. 10650 & 10652 of 2024

1. Kandasamy

2. Vasantha

... Petitioners/Accused 1 & 2

Vs.

State Rep. by
The Inspector of Police
Paramathi Police Station
Namakkal District
(Cr.No. 339 of 2021)

... Respondent/Complainant

PRAYER: Criminal Original Petitions filed under Section 528 of BNSS 2023 pleaded to call for the records of the case pending in C.C.No. 40 of 2022 on the file of the learned Judicial Magistrate, Paramathi, Namakkal and quash the same.

For Petitioners : Mr. M.Marimuthu

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)



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Crl.O.P.No. 17951 of 2024

ORDER

This Petition has been filed to quash C.C.No. 40 of 2022 on the file of the learned Judicial Magistrate, Paramathi, Namakkal.

2. The learned counsel for the petitioner states that it is a case and case in counter wherein the respondent police without proper investigation regarding the aggressor, has filed the final report. He would also submit that the counter complaint is now subject matter of C.C.No. 94 of 2022 before the same Court.

3. The learned Government Advocate (Crl. Side) submits that during the course of the same transaction, two rival versions were made and after the investigation, police found that both parties are aggressors. Therefore, two final reports filed and the Investigating Officer will take all steps to follow the dictum of the Full Bench Judgement rendered in ***Crl.O.P.No. 4587 of 2024 [P.Balaji Vs. State]***.



Crl.O.P.No. 17951 of 2024

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4. Recording the same, this Criminal Original Petition stands disposed of with a direction to the learned Judicial Magistrate, Paramathi, to follow the guidelines laid down by the Full Bench Judgment. Consequently, connected Miscellaneous Petitions stands closed.

14.08.2024

vsg

To

1. The Inspector of Police
Paramathi Police Station
Namakkal District
2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

vsg

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