



Crl.O.P.(MD)No.12907 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.12907 of 2024

and

Crl.M.P(MD)No.7945 of 2024

Muniraj

: Petitioner/A122

Vs.

The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No.1277 of 2020.

: Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records relating to the FIR in Crime No.1277 of 2020, dated 07.12.2020 on the file of the respondent police and quash the same as illegal against the petitioner.

For Petitioner : Mr.R.Senthil Kumar

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Criminal Side)



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ORDER

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This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to call for the records relating to the FIR in Crime No.1277 of 2020, dated 07.12.2020 on the file of the respondent police and quash the same as illegal against the petitioner.

2. When the matter was taken up for hearing on 08.08.2024, considering the submissions made by the learned counsel for the petitioner that in the earlier petition in Crl.O.P(MD)No.7693 of 2023 filed by the three accused in Crime No.1277 of 2020, taking note of the submission made by the learned Additional Public Prosecutor that the Government has decided to withdraw all the FIRs, which were registered in the Covid-19 pandemic period, for protocol violations and on that basis, the FIR was quashed by this Court vide order, dated 27.04.2023, but the learned Government Advocate (Criminal Side) submitted that they have filed the charge sheet through e-filing on 25.01.2024, this Court directed the jurisdictional Deputy Superintendent of Police to appear before this Court.



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3. In pursuance of the directions of this Court, Mr.C.Muhesh Jeyakumar, Deputy Superintendent of Police, Srivilliputhur Sub Division, appeared before this Court. He would submit that the then SI of Police, without noticing the order passed by this Court, in Crl.O.P(MD)No.7693 of 2023, has presented the charge sheet through e-filing on 25.01.2024.

4. But, the learned Government Advocate (Criminal Side) would submit that the charge sheet, which came to be filed on 25.01.2024 has been returned and they have decided not to re-present the same.

5. The submissions made by the jurisdictional Deputy Superintendent of Police and the learned Government Advocate (Criminal Side) that they have decided not to represent the charge sheet, are recorded.

6. In view of the above, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

13.08.2024

NCC : yes/No
Index : yes/No
Internet : yes/No
das

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To

- 1.The Deputy Superintendent of Police,
Srivilliputhur Sub Division,
Virudhunagar District.
- 2.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur, Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.12907 of 2024
and
Crl.M.P(MD)No.7945 of 2024

Dated: 13.08.2024