



Crl.O.P.(MD)No.13467 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13467 of 2024
and
Crl.M.P.(MD)No.8348 of 2024

Jothi

... Petitioner

Vs.

1.The State rep. by
The Inspector of Police,
Annanagar Police Station,
Madurai District.
(Crime No.235 of 2024)

2.Divya

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the FIR in Crime No.235 of 2024 on the file of the first respondent Police and quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.V.Vishnu

For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to quash the FIR in Crime No.235 of 2024 on the file of the first respondent Police.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the first respondent would submit that on the basis of the complaint lodged by the second respondent, the present FIR came to be registered in Crime No.235 of 2024 for the offences under Sections 294(b), 323, 324, 354A, 354B, 509 and 506(2) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 and that on the basis of the complaint lodged by the first accused in Crime No.235 of 2024, FIR came to be registered in Crime No.234 of 2024 against the second respondent and two others. He would further submit that the first respondent, after completing the investigation in Crime No.235 of 2024, has filed the charge sheet before the Judicial Magistrate No.6, Madurai through e-filing on 30.07.2024 and that in Crime No.234 of 2024, they are going to file charge sheet before the jurisdictional Magistrate Court shortly.



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3. The learned counsel appearing for the petitioner would submit that the first respondent has not followed the procedures and guidelines contemplated for the investigation of case and case in counter. The petitioner is at liberty to canvass the said plea before the trial Court.

4. In the result, this Criminal Original Petition is disposed of. The petitioner is at liberty to challenge the charge sheet, if so advised. Consequently, connected Miscellaneous Petition is closed.

16.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Inspector of Police,
Annanagar Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.13467 of 2024
and
Crl.M.P.(MD)No.8348 of 2024

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