



Crl.O.P.(MD)No.15652 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15652 of 2024
and Crl.M.P.(MD).Nos.9818 & 9819 of 2024

1.Narayanan

2.Indira

3.Aakash Ram Babu

... Petitioners

Vs.

1.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.781 of 2021)

2.Nagarajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to S.T.C.No.105 of 2024 pending on the file of the learned Judicial Magistrate No.II, Nagercoil and quash the same.

For Petitioners : Mr.S.Balajinivas

For R1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



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ORDER

This criminal original petition has been filed seeking orders to quash the charge sheet in S.T.C.No.105 of 2024 pending on the file of the learned Judicial Magistrate No.II, Nagercoil.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the first respondent would submit that the first respondent, after completing investigation, has filed final report only as against A1 and also filed a report deleting A2 and A3, that the defacto complainant, after receipt of notice from the concerned Court, has filed a protest petition in Cr.M.P.No.9902 of 2022 and after enquiry, the said petition came to be allowed on 10.01.2024 and that the accused, whose name were deleted, were added as A2 and A3. He would further submit that the petitioners, without challenging the order passed in Cr.M.P.No.9902 of 2022, have challenged the charge sheet in S.T.C.No. 105 of 2024, wherein, even according to the prosecution, they have no materials as against A2 and A3.



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3.Considering the above, this criminal original petition is dismissed with liberty to the petitioners to challenge the order passed in the protest petition. Consequently, connected miscellaneous petition is closed.

19.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Judicial Magistrate No.II,
Nagercoil.

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

gns

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