



Crl.O.P.(MD)No.16836 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16836 of 2024

and

Crl.M.P.(MD)No.10575 of 2024

M.Anburaj

... Petitioner

Vs.

1.The State of Tamilnadu rep. by
The Inspector of Police (L&O),
Keeraithurai Police Station,
Madurai.
(Crime No.296 of 2022)

2.Mahalakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records culminating into a criminal case in FIR No.296 of
2022 on the file of the first respondent police and quash the same.

For Petitioner : Mr.M.Dinesh Hari Sudarsan

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



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ORDER

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The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to quash the FIR in Crime No.296 of 2022 pending on the file of the first respondent.

2. It is seen from the records that on the basis of the complaint given by the second respondent, FIR came to be registered in Crime No. 296 of 2022 on 11.05.2022 for the offences under Sections 5(m), 5(n) and 3(d) of Protection of Child from Sexual Offences Act, 2012 against the petitioner.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the first respondent would submit that the first respondent, after completing the investigation, has already filed the final report against the petitioner before the jurisdictional Court as earlier as on 24.07.2023 through e-filing and he has also produced the copy of the final report.

4. Recording the same, the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, is directed to



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take the charge sheet on file, if it is otherwise in order and in case of issuance of any memo to rectify the defects in the charge sheet, issued by the learned Sessions Judge, the first respondent is directed to rectify the defects and re-submit the same within a period of two weeks from the date of receipt of a copy of this order and on re-submission, the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, is directed to take the charge sheet on file, if it is otherwise in order within a period of one week thereafter.

5. With the above direction, this Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. The petitioner is at liberty to challenge the charge sheet, if so advised.

15.10.2024

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

To

1.The Sessions Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Madurai.



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K.MURALI SHANKAR,J.

csn

- 2.The Inspector of Police (L&O),
Keeraithurai Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.16836 of 2024
and
Crl.M.P.(MD)No.10575 of 2024

Dated: 15.10.2024