



Crl.O.P.(MD)No.16849 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.16849 of 2024

and

Crl.M.P.(MD)No.10597 of 2024

1.Sankara Subramanian

2.Lakshmi

... Petitioners

Vs.

1.The State rep. by
The Inspector of Police,
Courtallam Police Station,
Tenkasi District.
(Crime No.319 of 2024)

2.A.V.Vishnukumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the impugned FIR in Crime No.319 of 2024 dated 19.08.2024 on the file of the first respondent police and quash the same.

For Petitioners : Mr.Aayiram K.Selvakumar

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



Crl.O.P.(MD)No.16849 of 2024

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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to quash the FIR in Crime No.319 of 2024 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. 319 of 2024 on 19.08.2024 for the offences under Sections 329(3), 296(b), 324(5) and 351(3) BNS against the petitioners.

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 filed the final report before the Judicial Magistrate, Sengottai through e-filing (No.LTN20230000507C202400495).

4. Recording the same, the learned Judicial Magistrate, Sengottai, is directed to 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,



Crl.O.P.(MD)No.16849 of 2024

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issued by the learned Magistrate, 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 Judicial Magistrate, Sengottai 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 petitioners are 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 Judicial Magistrate,
Sengottai.

2.The Inspector of Police,
Courtallam Police Station,
Tenkasi District.

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



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Crl.O.P.(MD)No.16849 of 2024

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.16849 of 2024
and
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Dated: 15.10.2024