



Crl.O.P.(MD)No.17164 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17164 of 2024

and

Crl.M.P.(MD)No.10738 of 2024

Mariselvam

... Petitioner

Vs.

1.The State of Tamil Nadu rep. by its
The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
(Crime No.417 of 2023)

2.Sundararajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records relating to the Crime No.417 of 2023 pending on
the file of the first respondent police and quash the same.

For Petitioner : Mr.G.Karuppasamy Pandiyan

For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. 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 quash the FIR in Crime No.417 of 2023 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. 417 of 2023 on 04.10.2023 for the offence under Section 174 Cr.P.C.

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 a final report against two persons including the petitioner before the Judicial Magistrate, Sivagiri for the offence under Section 306 IPC on 25.06.2024 through e-filing.

4. Considering the above, the learned Judicial Magistrate, Sivagiri is directed to take the charge sheet on file, if charge sheet has already been filed as stated by the prosecution, within a period of two weeks



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from the date of receipt of a copy of this order, if it is otherwise in order.

In case, any memo has been issued to rectify the defects, the first respondent is directed to rectify the defects pointed out by the learned Judicial Magistrate, Sivagiri, within a period of one week from the date of receipt of a copy of this order and on such rectification, the learned Judicial Magistrate, Sivagiri 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.

17.10.2024

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

To

- 1.The Judicial Magistrate,
Sivagiri.
- 2.The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
- 3.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.17164 of 2024
and
Crl.M.P.(MD)No.10738 of 2024

Dated: 17.10.2024