



Crl.O.P.(MD)No.21581 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21581 of 2024

and

Crl.M.P.(MD)No.13367 of 2024

1.Raju
2.Pushpavalli
3.Lakshmi Priya

... Petitioners

Vs.

1.The State of Tamil Nadu, Rep. by
The Special Sub Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
(Crime No.228 of 2024)

2.Thangadurai

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records and quash the First Information Report in Crime No.228 of 2024, dated 28.08.2024, on the file of the respondent Police, registered for the offences under Sections 296(b), 118(4) and 351(3) of the B.N.S., 2023.

For Petitioners : Mr.R.Paranjothi
for M/s.KBS Law Office



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For R1

: Mr.K.Sanjai Gandhi
Government Advocate
(Criminal Side)

ORDER

This Petition has been filed to quash the F.I.R. in Crime No.228 of 2024, dated 28.08.2024, pending investigation on the file of the first respondent Police.

2. Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the first respondent Police submitted that it is a case and case in counter, and in both matters, the investigation has been completed and the Police report was filed before the learned Judicial Magistrate, Alangudi, on 03.09.2024. The learned Government Advocate (Criminal Side) further submitted that the concerned Court is yet to act upon the final report.

3. The learned counsel for the petitioners submitted that since it is a case and case in counter, the respondent Police, without following the Police Standing Order, have filed the final report.



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4. The learned Government Advocate (Criminal side) submitted that the above said issue can be raised by the petitioners while challenging the charge sheet.

5. Taking into consideration the facts and circumstances of the case and also the fact that the final report has already been filed on completion of investigation, this Court is not inclined to interfere with the F.I.R. at this stage. If ultimately, the Police report is acted upon and process is issued to the petitioners and they are aggrieved by the same, it is left open to the petitioners to workout their remedy in the manner known to law, if so advised.

6. This Criminal Original Petition is disposed of in the above terms. Consequently, the connected miscellaneous petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

09.12.2024



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To
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- 1.The Special Sub Inspector of Police,
Alangudi Police Station,
Pudukkottai District.

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



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M.NIRMAL KUMAR, J.

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Order made in
Crl.O.P.(MD)No.21581 of 2024

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