



Crl.O.P.No.11802 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.11802 of 2025

R.Ramesh

.... Petitioner

Vs

The State represented by
The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the charge sheet in C.C No.22 of 2025, on the file of Judicial Magistrate Court, Karimangalam in Crime No.213 of 2023, on the file of respondent police and direct the respondent police to conduct further investigation and file a fresh final report in Crime No.213 of 2023, within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to set aside the charge sheet filed in C.C.No.22 of 2025 on the file of the Judicial Magistrate, Karimangalam.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Based on the complaint lodged by the petitioner, the respondent registered an FIR in Crime No.213 of 2023 for the offences punishable under Section 147, 447, 294(b), 323, 324, 355 and 506(i) of IPC against seven accused persons. After completion of the investigation, a final report was filed and the same has been taken cognizance by the Trial Court in C.C.No.22 of 2025.

4. The learned counsel appearing for the petitioner submitted that two accused persons have been left out from the charge sheet and as such, the final report cannot be sustained. However, if any accused persons have been omitted from the final report, the petitioner can very well invoke the provision under Section 319 of Cr.P.C before the Trial Court during the trial, if any incriminating material is available on record warranting their impleadment.



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5. In view of the above, this Court is not inclined to set aside

the charge sheet filed in C.C.No.22 of 2025 on the file of the Judicial Magistrate, Karimangalam. Accordingly, this Criminal Original Petition stands dismissed.

22.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1. The Judicial Magistrate Court,
Karimangalam

2. The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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