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Crl.O.P.No.12454 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2025

CORAM:

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

Crl.O.P.No.12454 of 2025
and
Crl.M.P.No.8297 of 2025

1. Ramasamy

2. Sivaranjan

... Petitioners

Vs.

1. State Rep. by
Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
(Crime No.242/2017)

2. Thangam

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records and quash the FIR in Cr.No.242 of 2017 on the file of the first respondent police.

For Petitioners : Mr. G.Saravanabhavan

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side) (for R1)



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ORDER

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2. The case of the prosecution is that the second respondent/defacto complainant lodged complaint before the first respondent police on 14.04.2017 informing that the defacto complainant's family and the petitioners' family have previous enmity and hence, the defacto complainant's family is not speaking with them. On 13.04.2017 at 6.00 p.m., the petitioners altogether came to the defacto complainant's house and enquired about her husband and son. When the defacto complainant replied that they are not in house, the petitioners abused by using foul language without any reason. When the same was questioned by the defacto complainant, the petitioners altogether dragged her from house by holding her hair and abused her. When the defacto complainant's mother-in-law questioned the petitioners, they also abused her by foul language and kicked her in her hip and assaulted brutally in hand and leg and they harassed them by pulling out of home in road. Due to that, the defacto complainant's mother-in-law sustained injuries and she got inner injury



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and got admitted in hospital. Based on the complaint given by the defacto complainant, the first respondent police registered FIR in Crime No.242 of 2017 as against the petitioners.

3. The learned Counsel appearing for the petitioners would submit that the petitioners already filed a quash petition before this Court in Crl.O.P.No.5393 of 2025, and the same was dismissed as infructuous on the ground that a final report had already been filed on 28.04.2017. However, the petitioner filed an application seeking a certified copy of the final report, and the same was returned on the ground that the final report had not been filed so far.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that after filing of the final report, it was returned for corrections. Subsequently, it was represented. However, so far, it has not been taken cognizance by the Trial Court.

5. In view of the above, this Court finds no grounds to quash the First Information Report. However, the first respondent is directed to re-present the charge sheet, if not already re-presented, after compliance of corrections, and



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on receipt of the same, the learned Judicial Magistrate, Ulundurpet, is directed
to take cognizance within a period of two weeks from the re-presentation of
the final report.

6. Accordingly, this Criminal Original Petition stands dismissed.

Consequently, connected miscellaneous petition is closed.

25.04.2025

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

kv

To

1. The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.

2. The Public Prosecutor,
High Court, Madras.

Copy to

The Judicial Magistrate, Ulundurpet.



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G.K.ILANTHIRAIYAN, J.

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