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Crl.O.P.No.18951 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.18951 of 2025

E.Kala

... Petitioner

Vs

The State Represented by
The Inspector of Police,
Government Railway Police,
Tambaram Police Station,
Tambaram,
Chennai – 45.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 528 of BNSS 2023, to direct the respondent to reopen the investigation in F.I.R No.175 of 2025 in line with Section 108 of BNS, 2023, by adding the same.

For Petitioner : Mr.M.Vijayakumar

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER



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WEB COPY This Criminal Original Petition has been filed to direct the respondent to reopen the investigation in F.I.R No.175 of 2025 in line with Section 108 of BNS, 2023, by adding the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent-Police and perused the materials available on record.

3. The petitioner had already filed Crl.O.P.No.16646 of 2025, seeking direction to direct the respondent-Police to conduct investigation for the offence under Section 108 of the BNS of 2023, by adding the same in F.I.R No.175 of 2025 on the file of the respondent-Police. When the said Crl.O.P.No.16646 of 2025 came up for hearing on 12.6.2025, the learned Government Advocate (Crl.Side) appearing for the respondent-Police submitted that investigation was in progress and charge sheet was yet to be filed and recording the said submission of the learned Government Advocate (Crl.Side), this Court closed the said Crl.O.P.No.16646 of 2025.



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4. On a perusal of the records, especially, the closure report filed by the respondent-Police, it is seen that the said F.I.R No.175 of 2025 was closed on the date of disposal of earlier Crl.O.P. ie., on 12.6.2025 itself, whereas, the respondent misrepresented that the charge sheet is yet to be filed.

5. In view of the same, the closure report filed by the respondent-Police 12.6.2025 is set-aside.

6. The Inspector General of Police (Railways), Chennai is directed to take action against the concerned Inspector of Police, Railways, Tambaram Police Station for misguiding the learned Government Advocate (Crl.Side) of this Court on 12.6.2025.

7. Further, the Inspector General of Police, Railways, Chennai is directed to appoint some other investigating officer to investigate the case in Crime No.175 of 2025 and issue summons to the petitioner,



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record statement of witnesses/complainant/petitioner and proceed further in accordance with law and also file final report within a period of three months from the date of receipt of a copy of this order.

8. With the abovesaid direction, this Criminal Original Petition is disposed of.

09.07.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1.The Inspector General of Police, Railways, Chennai

2.The Inspector of Police,
Government Railway Police,
Tambaram Police Station,
Tambaram,
Chennai – 45.

3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J

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