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Crl.O.P.No.19593 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.19593 of 2025

Theresa Malapati Showraiya

... Petitioner

Vs.

1. The State Rep.by
Inspector of Police,
Pallavaram Police Station,
Chengalpattu District – 600 043.

2. J.Soosai Raj

3. Raju

4. Ruby Joseph

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to set aside the final report in C.C.No.133 of 2025 on the file of the Judicial Magistrate Court, Pallavaram and consequently direct the first respondent to conduct further investigation in Crime No.643 of 2025 on the file of the first respondent and file a fresh final report.

For Petitioner : Mr.L.Ram Kumar

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
for R1



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ORDER

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The Criminal Original Petition is filed to set aside the final report in C.C.No.133 of 2025 on the file of the Judicial Magistrate Court, Pallavaram and consequently direct the first respondent to conduct further investigation in Crime No.643 of 2025 on the file of the first respondent and file a fresh final report.

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

3. It is seen that after completion of the investigation in Crime No.643 of 2025, the first respondent-Police filed the charge sheet before the Judicial Magistrate, Pallavaram on 20.02.2025 and the same was taken on file in C.C.No.133 of 2025. Now, the petitioner/*de-facto* complainant has come forward with the present petition to set aside the said charge sheet and for further investigation, in Crime No.643 of 2025.

4. It is needless to state that there is an enabling provision under



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Cr.P.C./BNSS that when a complainant is not satisfied with the final report filed under Section 173(2) Cr.P.C., in a criminal case, he can file a petition before the Magistrate concerned for re-investigation/fresh investigation. Therefore, it is open to the petitioner to work out her remedy before the Magistrate concerned where the charge sheet is pending. Accordingly, the Criminal Original Petition shall stand dismissed.

15.07.2025

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To

1. The Judicial Magistrate,
Pallavaram.
2. The Inspector of Police,
Pallavaram Police Station,
Chengalpattu District – 600 043.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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