



Crl.O.P.No.25617 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25617 of 2025

Marimuthu

... Petitioner

Vs.

The State rep by
The Inspector of Police
Ayilpatti Police Station
Namakkal District
(Cr.No.78 of 2024)

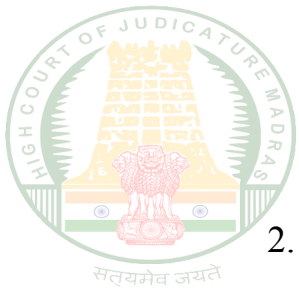
... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to set aside the Charge-sheet in PRC.No.1 of 2025 on the file of the learned Judicial Magistrate, Rasipuram pertaining to Crime No.78 of 2024 on the file of the respondent police and subsequently file fresh Charge-sheet.

For Petitioner : Mr.K.Prasath
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to set aside the final report taken on file in PRC.No.1 of 2025 on the file of the learned Judicial Magistrate, Rasipuram and subsequently, file a fresh final report.



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2. The final report has been filed for the alleged offences under

Section 61(2), 332(a), 309(6) & 103(1) of BNS, 2023. It is the contention of the petitioner that the daughter in law of the deceased is not made as an accused in the charge-sheet, therefore, seeks to set aside the charge-sheet, since, she has filed a suit for partition.

3. Heard both sides and perused the materials placed on record.

4. This Court is of the view that merely because the petitioner is not happy that the deceased daughter in law is not made as an accused, as a matter of right, she cannot seek to implead her as an accused. Prosecution has already filed a final report. If any substantive evidence come on record with regard to participation of the so-called accused, it is for the trial Court to take a call.

5. Accordingly, I do not find any merits in this petition and this petition stands dismissed.

17.09.2025

dhk

Neutral Citation : Yes/No

Internet : Yes/No



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WEB COPY To

1.The Inspector of Police
Ayilpatti Police Station
Namakkal District

2. The Public Prosecutor,
High Court of Madras.



WEB COPY



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N. SATHISH KUMAR, J.

dhk

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