



*Crl.O.P.No.31856 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM:

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

Crl.O.P.No.31856 of 2024  
and Crl.MP.No.18146 of 2024

Gopi

... Petitioner

Vs.

1. The State Rep. by  
The Sub Inspector of Police,  
Sooramangalam Police Station,  
Salem.

2. Visweswaran

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the charge sheet filed in C.C.No.766 of 2024 pending on the file of the learned Judicial Magistrate Court No.II, Salem and direct any competent officer to reinvestigate or further investigate the case in C.C.No.766 of 2024 pending on the file of the learned Judicial Magistrate Court No.II, Salem, in a fair and impartial manner and to file a report within a time fixed by this Court.

For Petitioner : Mr.S.Sathyaraj

For Respondents

For R1 : Mr.K.M.D.Muhilan

Government Advocate (Crl.Side)

For R2 : Mr.R.Pratap Kumar



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## **ORDER**

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This Criminal Original Petition has been filed to quash the proceedings in C.C.No.766 of 2024 pending on the file of the learned Judicial Magistrate Court No.II, Salem and direct any competent officer to reinvestigate or further investigate the case in C.C.No.766 of 2024.

2. On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.857 of 2023 for the offences punishable under Sections 341, 294(b), 323, 324 & 506(2) of IPC, in which the petitioner is arrayed as A4. After completion of investigation, the first respondent filed the final report and the same has been taken cognizance in C.C.No.766 of 2024 on the file of the learned Judicial Magistrate No.II, Salem. Now the petitioner filed the present petition to set aside the entire charge sheet and to order reinvestigation and further investigation in Crime No.857 of 2023.

3. The learned counsel appearing for the petitioner submitted that the entire occurrence had been captured in CCTV footage. However, without considering the same, the first respondent filed final report.



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4. After taking cognizance, there is absolutely no reason to order further investigation that too, on the request made by the accused. However, the petitioner is at liberty to produce whatever the CCTV footage captured by him by way of defence evidence.

5. Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

21.02.2025  
(2/2)

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

To

1. The Judicial Magistrate No.II,  
Salem.

2. The Sub Inspector of Police,  
Sooramangalam Police Station,  
Salem.

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



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**G.K.ILANTHIRAIYAN, J.**

rts

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