



Crl.O.P.(MD) No.762 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD) No.762 of 2025

Subaidhabeevi

... Petitioner

Vs.

1.The State of Tamil Nadu rep. by
The Superintendent of Police,
Superintendent of Police Office,
Sivagangai, Sivagangai District.

2.The State rep. by
The Inspector of Police,
Kallal Police Station,
Kallal, Sivagangai District.
(Crime No.199 of 2024)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 to direct the second respondent to conduct a proper investigation to file final report in connection with Crime No.199 of 2024 dated 16.12.2024 on the file of the respondent police within stipulated period.

For Petitioner : Mr.A.Elamathi

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



Crl.O.P.(MD) No.762 of 2025

ORDER

WEB COPY The Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, 1973, seeking a direction to the second respondent to conduct a proper investigation and file a final report in connection with Crime No.199 of 2024, dated 16.12.2024, on the file of the second respondent police within the stipulated period.

2. The petitioner/de facto complainant lodged a complaint before the second respondent police, and an FIR in Crime No.199 of 2024 has been registered. Despite this, no proper investigation has been conducted. Therefore, the petitioner has filed this petition.

3. The learned Public Prosecutor appearing for the respondents submitted that, on the complaint of the petitioner, an FIR in Crime No.199 of 2024 was registered against one Palaniappan, Singaram, and Palani for offences punishable under Sections 296(b), 324(4), and 351(3) of the BNSS Act, 2023, on 16.12.2024. After completing the enquiry, the police found a mistake of fact, and the case was closed on 23.12.2024. A notice was attempted to be served on the petitioner, but the petitioner evaded service. R.C.S.No.16 of 2024 has been filed before the Judicial Magistrate



Crl.O.P.(MD) No.762 of 2025

Court, Karaikudi, and a summons will be issued to the petitioner from the court.

4. The learned counsel for the petitioner submitted that since the case has been closed and R.C.S. No. 16 of 2024 has been filed before the Judicial Magistrate Court, Karaikudi, the petitioner may be given liberty to file his protest petition in R.C.S.No.16 of 2024.

5. In view of the same, the petitioner can very well approach the Judicial Magistrate Court, Karaikudi, to file his protest petition in R.C.S.No.16 of 2024. The learned Judicial Magistrate, Karaikudi, shall consider the protest petition to be filed by the petitioner and dispose of the same on its own merits.

6. Accordingly, this Criminal Original Petition stands disposed of.

20.01.2025

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order/Non-Speaking Order

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Crl.O.P.(MD) No.762 of 2025

To:

WEB COPY

- 1.The Superintendent of Police,
Superintendent of Police Office,
Sivagangai, Sivagangai District.
- 2.The Inspector of Police,
Kallal Police Station,
Kallal, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.762 of 2025

M.NIRMAL KUMAR, J.

JEN

Crl.O.P.(MD) No.762 of 2025

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