

Crl.O.P.(MD)No.6035 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.6035 of 2025

S.Rajeswari

... Petitioner

Vs.

1.The State of Tamil Nadu,
rep by The Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District,
Pin Code – 613 301.

2.The Special Sub Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District,
Pin Code – 613 301.

3.K.Jagadeesan

4.Suresh

5.Kennadi

6.Samiveerappa

7.N.Kumara Guru

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to direct the respondents 1 and 2 as the case may be to include the respondents Nos. 6 and 7 as Additional Accused nos. 4 and 5 in the FIR with respect to the Crime No. 362 of 2024, dated 28.11.2024 on the file of



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the 1st and 2nd respondent police and to investigate on their active role in the crime.

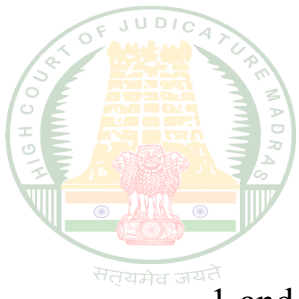
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For Petitioner : Mr.R.Niresh Kumar
For R1 & R2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This petition is filed by the petitioner to direct the respondents 1 and 2 to include the respondents Nos. 6 and 7 as additional accused nos. 4 and 5 in the FIR in Crime No. 362 of 2024, dated 28.11.2024 on the file of the 1st and 2nd respondents police and to investigate on their active role in the crime.

2. The learned counsel for the petitioner would submit that the petitioner is the defacto complainant in this case and based on his complaint, a case in Crime No.362 of 2024 was registered for the offences under Sections 329(3) and 324(4) of BNS, 2023. In the FIR, the names of the respondents 3 and 5 alone included and the names of the respondents 6 and 7 have not been included. Therefore, the respondents 6 and 7 have to be included as accused in Crime No.362 of 2024.

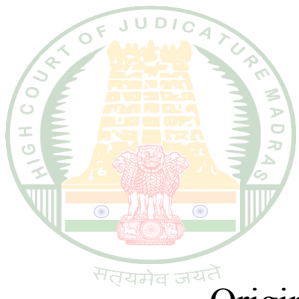


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3. The learned Government Advocate (Crl.Side) for the respondents 1 and 2 would submit that based on the complaint given by the petitioner, the case in Crime No.362 of 2024 was registered for the offences under Sections 329(3) and 324(4) of BNS, 2023. Thereafter, they conducted investigation and the same is pending. While so, the petitioner has not even sent any representation to the second respondent, but simply filed this petition, without any materials. If the petitioner has any materials, she can approach the second respondent and the same will be considered by the second respondent in accordance with law.

4. Considering the prayer sought for in this petition, this Court, without issuing notice to the private respondents, is inclined to dispose of this petition, with liberty to the petitioner to approach the second respondent, if she has any records in respect of other accused involved in this case.

5. If any such material is produced by the petitioner, the second respondent is directed to consider the same during investigation and take appropriate decision in accordance with law.



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6. With the abovesaid observations and directions, this Criminal

Original Petition is disposed of.

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02.04.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

apd

To

1. The Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District,
Pin Code – 613 301.

2.The Special Sub Inspector of Police,
Gandarvakottai Police Station,
Pudukottai District,
Pin Code – 613 301.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

apd

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