



Crl.O.P(MD)No.4464 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.4464 of 2025

Siva Ramakrishnan

... Petitioner

Vs

**1. The State of Tamilnadu,
Rep by the Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.**

2. Subbu Lakshmi

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to call for the records relating to the order passed in Crl.M.P.No.1746 of 2024, on the file of the Judicial Magistrate, Ambasamudram and set aside the same and consequently prayed that this Honourable Court may be pleased to reinvestigate the case in Crime No. 245 of 2024, on the file of the first respondent and file a fresh charge sheet.



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For Petitioner : Mr.Ananthkumar M,

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to set aside the order passed in Crl.M.P.No.1746 of 2024, by the learned Judicial Magistrate, Ambasamudram and to issue a direction to reinvestigate the case in Crime No.245 of 2024, on the file of the first respondent and file a fresh charge sheet.

2.According to the petitioner, he is the defacto complainant in this case and based on his complaint, the FIR in Crime No.245 of 2024 was registered for the offences under Sections 384 and 506(1) of IPC and without conducting proper investigation, the respondent police filed final report stating that action dropped.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that after completion of investigation,



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the petitioner's complaint was closed as action dropped and to that effect, a report was filed before the learned Judicial Magistrate, Ambasamudram and the Court also issued notice to the petitioner and the petitioner also received the same. Now the case is posted on 25.04.2025. Therefore, the petitioner has to approach the learned Judicial Magistrate, Ambasamudram by way of filing protest petition.

4.Heard both sides and perused the records.

5.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondent, is inclined to pass order.

6.Since the respondent police have filed final report stating that action dropped and RCS notice was also served to the petitioner, it is for the petitioner to approach the concerned Court and file appropriate application by challenging the closure report.

7.Since the matter is pending before the learned Judicial Magistrate, Ambasamudram, this Court for the same subject need not to



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pass any order.

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8.Accordingly, this Criminal Original Petition is closed.

11.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

To

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.

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



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P. DHANABAL, J.

LR

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