



Crl.O.P(MD)No.5233 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.5233 of 2025

Sudha

... Petitioner / Defacto Complainant

Vs.

The State of Tamil Nadu,
Rep. by its The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Crime No.307 of 2024

...Respondent / Complainant

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS, to direct the respondent to file a final report in Crime No.307 of 2024 on the file of respondent dated 13.12.2024 in accordance with law within stipulated time.

For Petitioner : Mr.T.Eashwar

For Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the respondent to file final report in Crime No.307 of 2024 on the



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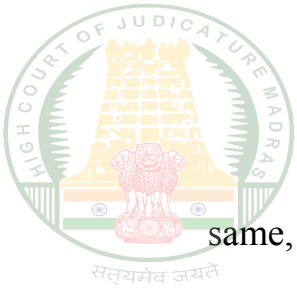
file of respondent dated 13.12.2024.

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2. According to the petitioner, she is the defacto complainant in this case and based on her complaint, a case in Crime No.307 of 2024 has been registered for the offences under Section 296(b), 118(1), 74, 351(3) of BNSS, 2023. Thereafter, no proper investigation has been conducted and so far not filed any final report. Hence, she has filed this petition.

3. The Government Advocate (Criminal Side) appearing for the respondent police would submit that already they completed the investigation and the same was closed as 'mistake of fact' on 13.12.2024. Thereafter, they have filed the negative final report before the learned Judicial Magistrate No.I, Orathanadu. Therefore, nothing survives for further adjudication in this case.

4. Since the prayer of the petitioner is to direct the respondent to file final report and already they filed the negative final report before the learned Judicial Magistrate No.I, Orathanadu, the prayer of the petition becomes infructuous and it is for the petitioner to challenge the negative report in the manner known to law, if she is aggrieved. In view of the



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same, preserving the liberty of the petitioner to challenge the negative final report in the manner known to law, this criminal original petition is closed.

21.03.2025

Internet :Yes

Index :Yes/No

NCC :Yes/No

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To

1.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.

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



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P. DHANABAL, J.

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