



Crl.O.P(MD)No.5474 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.5474 of 2025

Amarnath

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by the Superintendent of Police,
PSP Nagar,
Korampallam,
Thoothukudi,
Tamil Nadu-628101.

2. The Inspector of Police,
District Crime Branch,
Thoothukudi.

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to Direct the respondents to include the penal provision under sections 468 and 476 of IPC in Crime No. 10 of 2025 on the file of the 2nd respondent on the basis of the petitioners representation dt. 22.02.2025.



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For Petitioner : Mr.A.Robinson,

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents to include the penal provision under sections 468 and 476 of IPC in Crime No. 10 of 2025 on the file of the second respondent on the basis of the petitioners representation dated 22.02.2025.

2.According to the petitioner, he is the defacto complainant in this case and based on his complaint, an FIR in Crime No.10 of 2025 was registered for the offence under Sections 120B, 465 and 471 of IPC. Though the averments in the complaint constitute the offence under Sections 468 and 476 of IPC, the FIR has been registered only for the offence under Sections 120B, 465 and 471 of IPC. Therefore, the petitioner sent the representation dated 22.02.2025 to the second respondent, but the same has not been considered. Hence this petition.



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3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the case in Crime No.10 of 2025 is under investigation. In the mean time, the petitioner sent the representation, dated 22.02.2025 alleging that appropriate offence under Sections 468 and 476 of IPC have not been included in the present FIR. Since the matter is under investigation, if any material is available to constitute the offence under Sections 468 and 476 of IPC, the respondent police will consider the same and take appropriate action in accordance with law.

4.Since the investigation is pending with the second respondent, he is directed to consider the petitioner's representation and take appropriate action in accordance with law.

5.With the above direction, this criminal original petition is disposed of.

25.03.2025

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



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1. The State of Tamil Nadu,
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Korampallam,
Thoothukudi,
Tamil Nadu-628101.

2. The Inspector of Police,
District Crime Branch,
Thoothukudi.

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



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P. DHANABAL, J.

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