



Crl.O.P.(MD)No.11489 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11489 of 2025
and Crl.M.P.(MD)No.8708 of 2025

1. P.Shanmugam
2. A.Muniselvam
3. Hariharan

... Petitioners

versus

1. The Sub Inspector of Police,
Ammaiyanackenur Police Station,
Dindigul District.

2. Ponnazhagu

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the case in C.C.No.53 of 2022 pending on the file of the Judicial Magistrate, Nilakottai and to quash the same.

For Petitioners : Mr.K.Anandan

For R1 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl. Side)

ORDER

The petitioners/A1 to A3 are facing trial in C.C.No.53 of 2022 on the file of the learned Judicial Magistrate, Nilakottai, for the offence under



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Sections 294(b) and 324 IPC. They have moved this petition seeking to quash the proceedings pending against them.

2. The learned counsel appearing for the petitioners submits that the case in Crime No.651 of 2021 was registered as a counter case to the complaint in Cr.No.650 of 2021. However, the investigation has not been conducted as per the guidelines stipulated in the Police Standing Order PSO. 566. The learned counsel for the petitioners has also relied on a Judgment of the Full Bench of this Court in ***T.Balaji and another vs. The State, rep. by the Inspector of Police, Chennai and another***, in ***Crl.O.P.Nos.4587 of 2023***.

3. The learned Government Advocate (Crl. Side) submits that the cases in Crime Nos.650 and 651 of 2021 were investigated only by the same Investigating Officer as per the Police Standing Order PSO.566 and there is no violation of the Police Standing Order and the guidelines issued by the Full Bench of this Court as stated supra. He further submits that in both the cases, final reports have been filed before the concerned Court and the final report in Crime No.651 of 2021 was taken on file in C.C.No.53 of 2022, which is challenged in this petition. He further submits that the final report



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in Crime No.650 of 2021 is yet to be taken on file.

4. Considering the submissions made by the learned Government Advocate (Crl. Side) that the investigation in Crime Nos.650 and 651 of 2021 were conducted by the same investigation officer and the final report has also been filed in the counter case in Crime No.650 of 2021, this Criminal Original Petition is closed with a direction to the learned Judicial Magistrate, Nilakottai, to take the final report in Crime No.650 of 2021 on file without any delay. The other grounds raised by the petitioners can be appreciated only during the trial. Therefore, the petitioners are at liberty to raise all other grounds before the trial Court. Consequently, connected miscellaneous petition is closed.

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NCC : Yes/No
Index : Yes/No
Internet: Yes
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To

1. The Judicial Magistrate Court,
Nilakottai.



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B.PUGALENDHI, J.

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2. The Sub Inspector of Police,
Ammaiyanackenur Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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