



CrIOP(MD)No.12282 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrIOP(MD)No.12282 of 2025

and

CrIMP(MD)No.9513 of 2025

Athen Jemilan @ Yedhen Jemilan

... Petitioner

Vs

1.The State of Tamil Nadu,
Represented by the Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
[Crime No.61 of 2025]

2.Shankar

... Respondents

The Criminal Original Petition filed under Section 528 BNSS, to direct the Judicial Magistrate, to call for the records pertaining to the 1st information report registered in Crime No.61 of 2025 on the file of the 1st respondent police and to quash the same.

For Petitioner	: Mr.R.Balakrishnan
For R1	: Mr.P.Kottaichamy, Government Advocate(CrISide)
For R2	: Mr.K.Ganeshmoorthi



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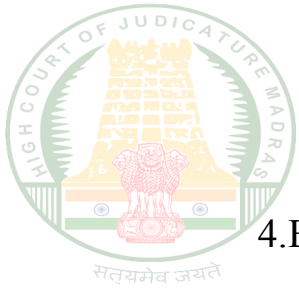
ORDER

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The petitioner sole accused in Crime No.61 of 2025 on the file of the respondent police has moved this petition to quash the proceedings pending against him.

2.The learned counsel appearing for the petitioner submits that the case in crime No.61 of 2025 has been registered on the file of the first respondent police for the offence under Sections 296(b) and 115(2) of BNS, 2023. Both offences are non-cognizable offences, however the respondent police have registered the case without obtaining any permission from the learned Judicial Magistrate concerned.

3.The learned Government Advocate (Crl Side) appearing for the respondent police submits that though the offence under Section 115(2) of BNS is non-cognizable, the offence under Section 296(b) is cognizable offence. Further after completing investigation, they have filed the final report and it is yet to be taken on file.



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4.By recording the above submission that the final report has been filed, this petition is closed with liberty to the petitioner to challenge the final report in the manner known to law. The respondent police shall ensure that the final report is taken on file. Consequently connected miscellaneous petition is closed.

05.08.2025

DSK

To

- 1.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

DSK

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