



Crl.O.P. No. 7757 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2026

CORAM

THE HONOURABLE MR. JUSTICE M .NIRMAL KUMAR

Crl.O.P. No. 7757 of 2026

&

Crl.M.P. NO. 5522 of 2026

1. Karthick
2. Kannammal
3. Muthusamy ..Petitioners

Vs.

1. The Sub Inspector of Police,
Velagoundampatty Police Station,
Velagoundampatty,
Namakkal District.
(Cr. No. 45 of 2025)

2. Mr. Devadoss ..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records relating to the case in Crime No. 45 of 2025 pending trial on the file of the 1st respondent and quash the same.

For Petitioner :: Mr.K.G. Senthil Kumar



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For Respondents :: Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor for R1

O R D E R

The petitioners, who are accused in Crime No. 45 of 2025 registered for the offences under Sections 296(b), 115(2) and 118(1) of BNS have filed the present quash petition.

2. The contention of the learned counsel for the petitioners is that the petitioners herein lodged a complaint against the de facto complainant/2nd respondent herein and a case in Crime No. 44 of 2025 was registered for the offences under Sections 296(b) and 115(2) of BNS. His primary submission is that the respondent Police failed to follow the procedure laid down by the Full Bench of this Court in ***T. Balaji and another V. State of Tamil Nadu rep. by the Inspector of Police, Chennai and another*** reported in ***2024(2) L.W. (Crl.) 175*** and the Police Standing Order (PSO) No.566.

3. Learned Additional Public Prosecutor submitted that as regards the case in Crime No. 44 of 2025, investigation is completed and final report filed before the learned Judicial Magistrate No.I, Namakkal, which has been taken on file in STC No. 655 of 2025 on 14.10.2025. As



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regards the case on hand, ie., Crime No. 45 of 2025 also, investigation is completed and final report filed before the learned Judicial Magistrate No.I, Namakkal. However, in the said final report, the name of A3 has been deleted due to which a protest petition has been filed by the de facto complainant and for that reason, it is kept pending.

4. Considered the submissions and perused the materials on record.

5. It is seen that there is a counter case in Crime No. 44 of 2025, which has been taken on file as STC No.655 of 2025 before the learned Judicial Magistrate No.1, Namakkal. The case on hand in Crime No. 45 of 2025 is pending due to a protest petition. In view of the same, learned Judicial Magistrate No.I, Namakkal to decide the protest petition and to proceed in accordance with law. In the meanwhile, since the counter case in STC No. 655 of 2025 is pending trial, the said case is to be kept in abeyance till the outcome of protest petition in Crime No.45 of 2025 and thereafter, both the cases are to be proceeded in accordance with law.



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M. NIRMAL KUMAR,J.

nv

6. With the above direction, the criminal original petition stands disposed of. Connected miscellaneous petition is closed.

26.03.2026

nv

To

1. The Judicial Magistrate No1, Namakkal.
2. The Sub Inspector of Police,
Velagoundampatty Police Station,
Velagoundampatty,
Namakkal District.
3. The Public Prosecutor, High Court,
Madras.

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