



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11363 of 2026

and

Crl.M.P.No.8084 of 2026

S.Sridharan
S/o K.R.Srinivasan

..Petitioner(s)

Vs

1. The State Rep by,
The Inspector of Police
T3, Pallavaram Police Station,
Pallavaram,
Chennai – 600 117.
2. N.Marimuthu
3. M.Nithyanandhan
4. Rindhiya
5. G.Srinivasan
6. Deepak Kotta Reddy

..Respondent(s)

Prayer: This criminal original petition is filed under Section 528 of BNSS, 2023 seeking to direct the learned District Munsif-cum-Judicial Magistrate, Pallavaram, to dispose of the protest petition Crl.MP.No.1815 of 2024 in CC.No.1058 of 2023 within a stipulated time.

For Petitioner(s): Mr.R.C.Sreenandha

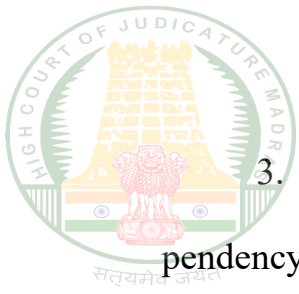
For Respondent(s): Mr.R.Rajasekaran,
Government Advocate (Crl.Side) for R1

**ORDER**

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The petitioner / de facto complainant had filed this petition seeking speedy disposal of the protest petition in Crl.M.P.No.1815 of 2024 in C.C.No.1058 of 2023 which is pending before the learned District Munsif-cum-Judicial Magistrate, Pallavaram.

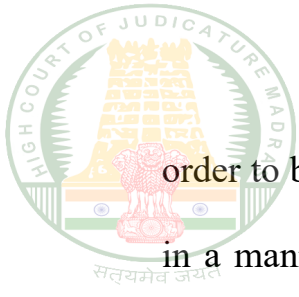
2. According to the petitioner, based on the complaint lodged by him, an FIR was registered in Cr.No.988 of 2022 for offences under Sections 406, 420, and 447 of the Indian Penal Code, 1860, against the accused persons, namely respondents 2 to 6. Upon conclusion of the investigation, a charge sheet was filed on 05.11.2023 and taken on file as C.C.No.1058 of 2023 before the learned District Munsif-cum-Judicial Magistrate, Pallavaram, solely for the offence under Section 420 of the IPC against one accused, Marimuthu, thereby omitting the other accused persons. The learned Magistrate failed to issue notice to the petitioner regarding the deletion of the sections mentioned in the FIR and the omission of the names of respondents 3 to 6, who were specifically named and had played a vital role in the commission of the offences. Aggrieved over the same, the petitioner filed a protest petition in Crl.M.P.No.1815 of 2024 seeking further investigation, which remains pending without any progress. Hence, the present petition has been filed.



3. The learned counsel for the petitioner submits that despite the pendency of the protest petition in Crl.M.P.No.1815 of 2024, the trial court has issued summons to witnesses L.W.1 to L.W.5 in C.C.No.1058 of 2023. He contends that proceeding with the examination of witnesses at this stage would amount to pre-deciding the protest petition, thereby defeating the petitioner's statutory rights. Accordingly, he prays for a direction to the trial court to dispose of the pending protest petition within a time frame fixed by this Court.

4. The learned Government Advocate (Criminal Side), upon instructions, submits that witnesses L.W.1 to L.W.5 have been summoned by the trial court for examination specifically within the scope of the pending protest petition, and not in the main Calendar Case in C.C.No.1058 of 2023. To substantiate this contention, the learned Government Advocate has produced the case adjudication dated 25.06.2026. Accordingly, he prayed for passing appropriate orders.

5. Considering the submission made by the learned counsel on either side, this Court directs the learned District Munsif-cum-Judicial Magistrate, Pallavaram to dispose of the case in Crl.MP.No.1815 of 2024 in CC.No.1058 of 2023 and pass appropriate orders as expeditiously as possible on merits and in accordance with law and after affording an opportunity of hearing to the petitioner as well as the aggrieved persons if any. Based on the outcome of the



order to be passed in the protest petition, the trial in the main case shall proceed in a manner known to law. Until such time, status quo shall be maintained in C.C.No.1058 of 2023 on the file of the learned I District Munsif-cum-Judicial Magistrate, Pallavaram.

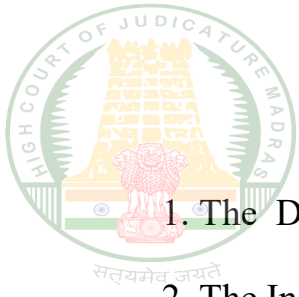
6. With the above observation and directions, this criminal original petition is disposed of. Connected miscellaneous petition stands closed.

01-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To



1. The District Munsif-cum-Judicial Magistrate, Pallavaram

2. The Inspector of Police
T3, Pallavaram Police Station,
Pallavaram,
Chennai – 600 117.

3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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