



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2026

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CrI.O.P.(MD).No.3276 of 2026
and CrI.M.P(MD)Nos.3560 and 3557 of 2026

P.Palanisamy

...Petitioner/A2

Vs.

1.The State of Tamil nadu,
rep., by the Deputy Superintendent of Police,
District Crime Branch,
Madurai District.
Crime No.123 of 2012

2.P.Sumathi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire records pertaining to C.C.No.82 of 2016 on the file of the learned Judicial Magistrate Court NO.I, Madurai, in connection with FIR in Crime No.123/2012 and quash the same insofar as the petitioner /A2 is concerned.

For Petitioner : MrAnandapadmanabhan
Senior Counsel for Mr.V.Malaiyendran



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For R1

: Mr.S.Ravi

Additional Public Prosecutor

ORDER

Seeking to quash the impugned final report in C.C.No.82 of 2016 on the file of the learned Judicial Magistrate Court NO.I, Madurai, in connection with FIR in Crime No.123/2012 on the file of the first respondent, this criminal original petition is filed.

2.Considering that no adverse order is likely to be passed against the second respondent, notice to her is dispensed with.

3.The learned Senior Counsel appearing for the petitioner submitted that the impugned final report in C.C.No.82 of 2016 on the file of the learned Judicial Magistrate Court No.I, Madurai, should necessarily be quashed for the sole reason that the cognizance taken in the said case by the learned Judicial Magistrate is nothing, but a rubber stamp cognizance, which is not permissible under the provisions of BNSS/ Cr.P.C.



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4.A careful perusal of the records placed before me would reveal that the cognizance taken by the learned Magistrate, is only a rubber stamp cognizance. In view of the same, the impugned charge sheet in C.C.No.82 of 2016 on the file of the learned Judicial Magistrate Court NO.I, Madurai, in connection with FIR in Crime No.123/2012 on the file of the first respondent is hereby quashed and the matter remanded back to learned Judicial Magistrate No.I, Madurai, for fresh consideration. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

26.02.2026

NCC : Yes/No
Index : Yes / No

Rmk

To

1.The Judicial Magistrate No.I, Madurai.

2.The Deputy Superintendent of Police,
District Crime Branch,
Madurai District.

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



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L.VICTORIA GOWRI,J.,

Rmk

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