



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2026

CORAM

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

Crl.O.P.(MD).No.4185 of 2026
and Crl.M.P(MD)No.4486 of 2026

Rajeshkannan

...Petitioner/A2

Vs.

1.The State of Tamil nadu,
rep., by the Inspector of Police,
Prohibition Enforcement Win (PEW),
Madurai City.
Crime No.336 of 2017

2.C.Maruthalakshmi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the charge sheet in C.C.no. 1326 of 2019 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same with respect to the petitioner concerned.

For Petitioner : Mr.S.Poornachandran

For R1 : Mr.S.Ravi

Additional Public Prosecutor



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ORDER

Seeking to quash the impugned charge sheet in C.C.No.1326 of 2019 on the file of the learned Judicial Magistrate No.II, Madurai, 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 counsel appearing for the petitioner submitted that the impugned final report in C.C.No.1326 of 2019 on the file of the learned Judicial Magistrate No.II, 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.

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.1326 of 2019 on the file of the learned Judicial Magistrate No.II, Madurai, is hereby quashed and the matter remanded back to learned Judicial Magistrate No.II, Madurai, for fresh consideration. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

25.02.2026

NCC : Yes/No
Index : Yes / No

Rmk

To

1.The Judicial Magistrate No.II, Madurai.

2.The Inspector of Police,
Prohibition Enforcement Win (PEW),
Madurai City..

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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26.02.2026