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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.4252 of 2026
and CrI.M.P(MD)Nos.4564 and 4567 of 2026

Mahesh @ Mohana Viswanth

... Petitioner/Sole Accused

Vs.

1.The State of Tamil nadu,
rep., by The Inspector of Police,
Vadipatty Police Station,
Madurai District.
Crime No.113 of 2024

2.Chandra Sekaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the charge sheet in C.C.No.918 of 2025 on the file of the learned Judicial Magistrate Court, Vadipatti and quash the same as illegal.

For Petitioner : Mr.Ramanujam

For R1 : Mr.M.Sakthikumar

Government Advocate (CrI.side)



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ORDER

Seeking to quash the impugned charge sheet in C.C.No.918 of 2025 on the file of the learned Judicial Magistrate Court, Vadipatti, this criminal original petition is filed.

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

3.The learned counsel appearing for the petitioner submitted that the impugned charge sheet in C.C.No.918 of 2025 on the file of the learned Judicial Magistrate, Vadipatti, 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



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C.C.No.918 of 2025 on the file of the learned Judicial Magistrate, Vadipatti, is hereby quashed and the matter remanded back to learned Judicial Magistrate, Vadipatti, 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 Court, Vadipatti.

2.The Inspector of Police,
Vadipatty Police Station,
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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