



WEB COPY



Crl.O.P.No.6737 of 2024
And
Crl.M.P.Nos.4946 and 4947 of 2024

N.ANAND VENKATESH,J.

It is seen from the cognizance order taken by the Court below dated 26.07.2019 that a rubber stamp cognizance has been taken. This Court has been watching this trend of taking rubber stamp cognizance in many cases. In view of the same, this Court is forced to set aside the cognizance order and send it back to the trial Court for passing fresh cognizance order by applying the mind. This trend has to be stopped. This is in view of the fact that such rubber stamp cognizance has been deprecated by the Apex Court and this judgment was also followed by this Court in ***Shanmugam and others Vs. Inspector of Police, Ariyalur Police Station, Ariyalur and others*** reported in ***(2019) 3 MLJ (Crl.) 339***. In spite of the same, the practise of taking rubber stamp cognizance continues in the subordinate Courts.

2.It is made clear that going forward, if cognizance is taken through a rubber stamp cognizance order, this Court will be forced to call for explanation. This is in view of the fact that such rubber stamp cognizance order is in violation of the order passed by the Apex Court



and followed by this Court.

WEB COPY

3.This order shall be circulated to all the Principal District Judges across the State of Tamil Nadu. Instruction shall be given to the entire District Judiciary that cognizance should be taken after proper application of mind and the practise of rubber stamp cognizance must be stopped forthwith.

4.Mr.A.Gopinath, learned Government Advocate (Crl. Side) takes notice on behalf of the first respondent. Notice to the second respondent returnable by 28.03.2024. Private notice is also permitted.

5.Post this case under the same caption on 28.03.2024.

20.03.2024

pri

Note: Registry is directed to mark a copy of this order to all
The Principal District Judges across the State of Tamil Nadu.



WEB COPY

VERDICTUM.IN



Crl.O.P.No.6737 of 2024

N.ANAND VENKATESH,J.
pri

Crl.O.P.No.6737 of 2024
And
Crl.M.P.Nos.4946 and 4947 of 2024

20.03.2024

3/3