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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Crl.O.P. (MD) No.8863 of 2015
and
M.P. (MD) .No.1 of 2015

M.Abdulkhathar

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.
(Crime No.99 of 2015)

2.S.M.Shekdawod

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to Crime No.99 of 2015 on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.K.Samy

For Respondents : Mr.K.Anbarasan Government Advocate (Crl. Side)

O R D E R

Seeking to quash the Crime No.99 of 2015 on the file of the first respondent police, the petitioner has come up with this petition.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents and perused the records.

3. When the matter is taken up for hearing today, there are two submissions made by the learned Government Advocate (Crl. Side). The first submission is that the alleged occurrence has not taken place on the place as alleged and the second submission is the question of delay in lodging the complaint.

4. The questions as to whether the alleged occurrence has not taken place on the place of occurrence and the complaint is only given on the next date of the alleged occurrence cannot be decided at this stage.



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5. Therefore this Criminal Original Petition stands dismissed with a direction to the first respondent to file the final report within a period of four months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Per.Admin)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Athiramapattinam Police Station,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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PJL

RJ 29.07.2015 2P/3C