

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16..11..2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.20635 of 2011

and

M.P.No.1 of 2011

K.Lakshmanan

... **Petitioner**

-Versus-

1.State Rep. by its  
Inspector of Police,  
District Crime Branch Police Station,  
Namakkal.  
[Crime No.21 of 2011]

2.Saraswathi

... **Respondents**

**Prayer:** This petition is filed under Section 482 Cr.P.C. praying to call for the records relating to the case in Crime No.21 of 2011 pending on the file of the 1st respondent police and to quash the said case.

*For Petitioner* : Mr.R.Nalliyappan

*For Respondents* : Mr.C.Emalias, APP for R1

**ORDER**

This original petition has been filed seeking to quash the case in Crime No.21 of 2011 pending on the file of the 1st respondent police.

2. When the matter came up for hearing, Mr.C.Emalias, the learned Additional Public Prosecutor, on instructions from Mrs.P.Amutha, Sub Inspector of Police, District Crime Branch, Anti Land Grabbing, Namakkal, who is present in court, submitted that investigation in the case was completed and the case was closed as "Mistake of Fact" as early as on 16.10.2012, but the closure report has not yet been filed before the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Namakkal in view of the order of stay granted by the Hon'ble Supreme Court with regard to the proceedings before the Special Court for Land Grabbing Cases. The said statement is recorded.

3. In view of the above position, the criminal original petition is dismissed, however, with a direction to the respondent to file closure report before the learned District Munsif cum Judicial Magistrate, Paramathy, Namakkal District, under due intimation to the de facto complainant, within a period of four weeks from the date of receipt of a copy of this order. On such filing the final report, the learned Magistrate shall pass appropriate judicial orders on the same in accordance with law. Consequently, connected MP is closed.

kmk

Sd/-  
Assistant Registrar (CS- )

/TRUE COPY/

Sub-Assistant Registrar

To

- 1.The Judicial Magistrate,  
Special Court, Land Grabbing Cases,  
Namakkal, Namakkal District.
- 2.The District Munsif cum  
Judicial Magistrate, Paramathy,  
Namakkal District.
- 3.The Inspector of Police,  
District Crime Branch Police Station,  
Namakkal.
- 4.The Public Prosecutor,  
High Court, Madras.

Cr1.O.P.No.20635 of 2011

NM [CO]

MSI 08/12/2016

WEB COPY