

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.18158 of 2015

A.Kanniyappan

.. Petitioner/Defacto complainant

Vs.

State rep. by

Inspector of Police

D-6, Maraimalai nagar police station

Kancheepuram District.

(Crime No.154 of 2012)

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., for issuing a direction to the respondent herein viz., The Inspector of Police, D6, Maraimalai nagar police station, Kancheepuram District in the above case in Crime No.154 of 2012 on his file and file a final report before the concerned Court within a stipulated time.

For Petitioner :Mr.T.R.Ravi

For Respondent :Mr.C.Emalias

Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition for issuing a direction to the respondent to file a final report in Crime No.154 of 2012.

2.Learned counsel for the petitioner submits that on the basis of the complaint given by the petitioner on 11.02.2012, a case has been registered in Crime No.154 of 2012 for offences under Sections 147, 148, 324, 294(b), 427 and 506(ii) IPC. But the respondent has not shown any interest to investigate the matter and file a final report. Hence, the petitioner has come forward with this petition for the above stated relief.

3.Learned Additional Public Prosecutor filed a status report submitting that after examination of nine witnesses, the case in Crime No.154 of 2012 has been closed as "Mistake of fact" and also served R.C.S.No.7/2012, dated 13.04.2012 to the

petitioner/defacto complainant. Therefore, he prays for dismissal of this petition.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor and perused the status report filed by him.

5.On perusal of status report filed by the learned Additional Public Prosecutor, in para-5, it is stated that even the case has been registered in Crime No.154 of 2012 on 04.03.2012, after due investigation, final report has been filed as "Mistake of fact". R.C.S.No.7/2012, dated 13.04.2012 has been served to the petitioner/defacto complainant and he has also acknowledged the same. Under such circumstances, the Criminal Original Petition is dismissed. It is left open to the petitioner to approach appropriate forum.

kj

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police
D-6, Maraimalai nagar police station
Kancheepuram District.
 2. The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.T.R.Ravi, Advocate SR 10255

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