

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.16589 of 2016

Sri Sankara Subramania Dharma Siva
Acharya Swamigal Madathipathi,
Thiruvallangadu Immudi Agora,
Dharma Shiva Acharya Ayira Vysha Mutt,
Nerinjipettai, Anthiyur Taluk,
Erode District.

... Petitioner

Vs.

The Inspector of Police,
Rasipuram Police Station,
Namakkal District,
Cr.No.688 of 2014

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C praying to direct the respondent to complete the investigation in Crime No.688 of 2014 pending on the file of the respondent and file a final report before the competent Court of law within time fixed by this Court.

For Petitioner : Mr.G.Jeremiah

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent to complete the investigation in Crime No.688 of 2014 pending on the file of the respondent and to file a final report before the competent Court within a time fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that investigation in Crime No.688 of 2014 was completed and the case has been closed as mistake of fact. Since the Police did not know the whereabouts of the petitioner, they were not able to serve the RCS notice on the petitioner.

4. Today, the RCS notice has been served on the learned counsel for the petitioner across the bar, which is deemed to be service of RCS notice on the petitioner.

5. The police is directed to file the closure report before the learned Judicial Magistrate, Rasipuram within two weeks from the date of receipt of a copy of this order, and liberty is given to the petitioner to approach the learned Judicial Magistrate, Rasipuram, for filing the protest application.

With the above direction, this Criminal Original Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

1.The Judicial Magistrate Court No.I
Rasipuram.

2.The Inspector of Police,
Rasipuram Police Station,
Namakkal District,

3.The Public Prosecutor,
High Court, Chennai

+1 cc to Mr.G.Jeremiah Advocate sr 46956

सत्यमेव जयते

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