

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.17324 of 2016
and CRL.MP.No.8299 of 2016

P.R.Vasudevan ... Petitioner/Accused No.2

Vs

1.State rep by its
The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District. ...1st Respondent/Complainant

2.H.A.Srinivasamoorthy ...2nd Respondent/Defacto
Complainant

Criminal Original Petition filed under Section 482 of
Cr.P.C., praying to call for the records relating to the case
Crime No.29 of 2007 on the file of the 1st respondent, for the
offences punishable under Section 120[b], 465, 467, 468, 471,
419 and 420 IPC and quash the same.

For Petitioner : Mr.V.Subramanian

For 1st Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to quash the FIR in Crime
No.29 of 2007 on the file of the 1st respondent.

2. Heard the learned counsel for the petitioner; learned
Additional Government Pleader appearing for the 1st respondent
and perused the materials placed on record.

3. Pursuant to the order dated 24.08.2016, today,
Mr.R.Veeraraghavan, Additional Superintendent of Police,
Krishnagiri District and Mr.T.Subramanian, Inspector of
Police, SIPCOT Police Station are present before this Court.

4. Learned Additional Public Prosecutor on instructions,
submitted that the draft charge sheet is ready in this case,
wherein, four persons has been arrayed as accused and one of
them, Kesavachari is absconding.

5. Taking into consideration the nature of allegations in

the final report, this Court directs the respondent Police to obtain necessary opinion from the Assistant Public Prosecutor and file the charge sheet before the learned Judicial Magistrate-II, Hosur within a period of four weeks from the date of receipt of a copy of this order and on such filing, the learned Magistrate is directed to pass orders in accordance with law. The Police shall take effective steps to secure Kesavachari. It is needless to state that even after filing of final report, Police custody of Kesavachari can be given by the Court on his arrest as held by the Hon'ble Supreme Court in CBI Vs Rathin Dandapat and Others [2016]1 SCC 507.

With the above direction, this petition is closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate-II,
Hosur.

2. Do Thro The Chief Judicial Magistrate,
Krishnagiri.

3.The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.

4.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.V.Subramanian, Advocate, sr.49900

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sv co

kra 03.10.2016