

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.20947 of 2016

1. Dr.Rajkumar,
2. Kannaki Rajkumar,
3. Dr.Nallathambi
4. Selvaraj

...Petitioners

Vs.

1. The Inspector of Police,
District Crime Branch,
Namakkal.

2. Dr.K.V.Jayaprakash

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records in Crime No.9 of 2010 on the file of Inspector of Police, District Crime Branch, Namakkal and quash the same.

For Petitioners : M/s.R.Sankarasubbu

For R1 : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to call for the records in Crime No.9 of 2010 on the file of the first respondent and quash the same.

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

3. On 15.09.2016, this Court passed the following order:-

"On the complaint lodged by Dr.Jayaprakash, the respondent police registered a case in Crime No.9 of 2010 and after completing the investigation has filed a closure report before the Judicial Magistrate No.I, Namakkal District as early as on 27.09.2012.

On notice to Dr.Jayaprakash, he appears to file a protest application on which the learned Magistrate has passed a criptic order on 12.12.2012 ordering further investigation.

Learned Additional Public Prosecutor is directed to get instructions with regard to fate of the further investigation ordered by the Court.

Post on 30.09.2016 in "Admission List."

4. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that pursuant to the order dated 27.09.2012 passed by the Judicial Magistrate Court No.I, Namakkal, the respondent police conducted further investigation and the case has been closed as "mistake of fact" after service of RCS notice on the de facto complainant on 01.10.2016.

5. In view of the above, the respondent police is directed to file the closure report before Judicial Magistrate Court No.I, Namakkal, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kmi

To

1. The Inspector of Police,
District Crime Branch, Namakkal.

2. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s. R. Sankarasubbu, Advocate SR.58803

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NR(CO)

EU 14.11.16