

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.18384 of 2010

and M.P.No.1 of 2010

1.K.P.Karunaisamy

2.C.V.Meenakshi Sundaram

...Petitioners

vs.

1.The Sub-Inspector of Police,
B1, Kadai Veedhi Police Station,
Coimbatore.

2.Rukmaniammal

...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., pleaded to call for the records and quash the same in Cr.No:1362/2009 dated 10.11.2009 pending on the file of the 1st respondent.

For Petitioners : Mr.V.Subramanian

For Respondents : Mr.C.Emalias, APP for R1
Mr.T.M.Ramalingam for R2

O R D E R

This petition has been filed to call for the records and quash the same in Cr.No:1362/2009 dated 10.11.2009 pending on the file of the 1st respondent.

2. Heard the learned counsel for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that, investigation in Crime No:1362 of 2009 has been completed and the case has been closed as "mistake of fact". But the report was not filed before the concerned Judicial Magistrate, nor RCS notice was served on the de facto complainant.

4. Under such circumstances, the first respondent police is

directed to serve the RCS notice on the de facto complaint in person or by registered post with acknowledgment due (RPAD) and file the closure report before the Jurisdictional Magistrate within four weeks from the date of receipt of a copy of this order.

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

-sd/-
Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

dpq

To

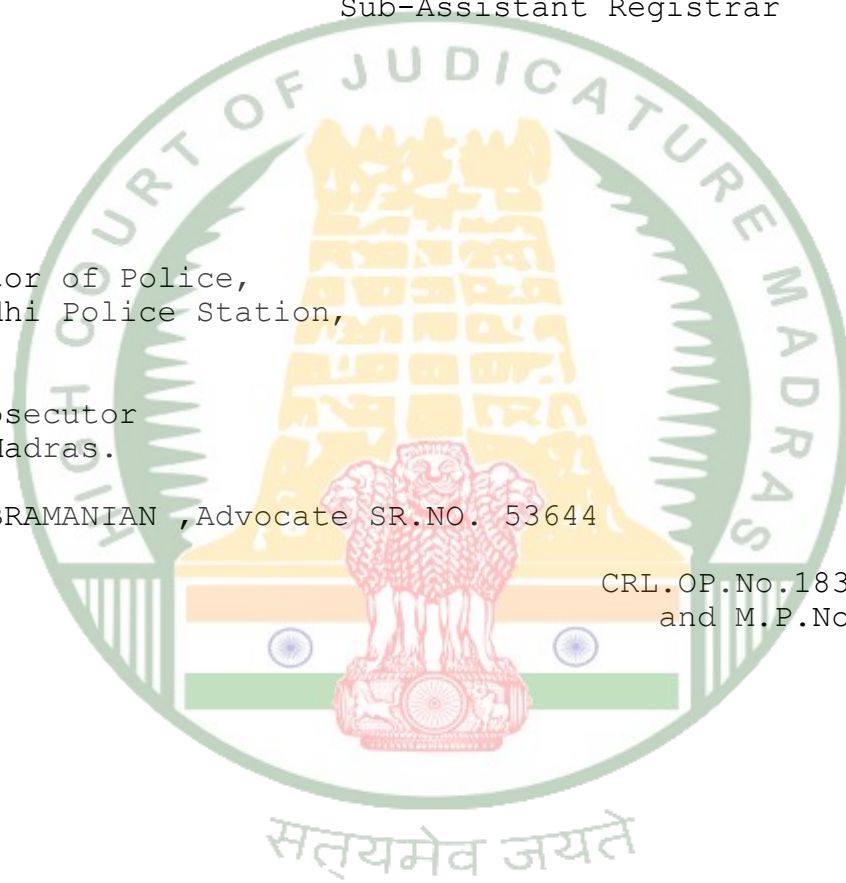
1.The Sub-Inspector of Police,
B1, Kadai Veedhi Police Station,
Coimbatore.

2. The Public Prosecutor
High Court, Madras.

+1 cc to MR.V.SUBRAMANIAN ,Advocate SR.NO. 53644

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skv[co]
RD : 18/10/2016



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