



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2016

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3934 of 2016

and

Crl.M.P. (MD) No.1983 of 2016

WEB COPY

Kaleeswaran

... Petitioner / 7th Accused

vs.

1.State represented by
the Inspector of Police
Ramanathapuram Town Police Station
Ramanathapuram
(In Crime No.367 / 2012)

... 1st Respondent / Complainant

2.Muthuramalingam

... 2nd Respondent / De facto
Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the FIR in Crime No.367 of 2012, on the file of the 1st respondent and quash the same in so far as the petitioner concern.

For Petitioner : Mr.N.Sekar

For Respondents : Mrs.S.Prabha

G.A.(Crl.Side) for R1

O R D E R

The petitioner / seventh accused has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking quashment of the proceedings, in Crime No.367 of 2012, on the file of the first respondent Police, in respect of him.

2. Heard Mr.N.Sekar, learned counsel appearing for the petitioner / seventh accused and Mrs.S.Prabha, learned Government Advocate (Criminal Side) for the first respondent.

3. On 04.03.2016, when the matter came up for hearing, this Court has passed the following Order:

"When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the 1st respondent Police submitted that investigation in Crime No.367 of 2012 was completed and final report was filed before the Judicial Magistrate No.I, Ramanathapuram on 13.03.2013, and the same was returned by the learned Judicial Magistrate for some reasons and thereafter, it was represented.

2.Registry is directed to issue a communication to the learned Judicial Magistrate No.I, Ramanathapuram, calling for a report as to what action has been taken on the final report in Crime No.367 of 2012.



3. The matter is adjourned to 29.03.2016."

4. In compliance of the above, the learned Judicial Magistrate No.I, Ramanathapuram, has sent a report, dated 28.03.2016, wherein it is stated as follows:

"I further submit that in Ramanathapuram B1 Town P.S. Cr.No.367/2012 charge sheet was filed before this Court on 03.11.2014, perused and charge sheet was returned as 1) A9, A11, A12 age not mentioned 2) Rank of the accused name is not correct and 3) Accused copy not filed along with Charge sheet and not resubmitted till date."

5. The first respondent Police is directed to comply with the returns made by the learned Judicial Magistrate No.I, Ramanathapuram and re-present the final report, in Crime No.367 of 2012, within a period of four weeks from the date of receipt of a copy of this Order, failing which this Court will take a serious view in this matter.

6. In view of the fact that the investigation, in Crime No.367 of 2012, has already been completed, the criminal original petition to quash the proceedings in Crime No.367 of 2012, has become infructuous and hence it is closed with liberty to the petitioner / seventh accused to work out his remedy in the manner known to law. Consequently, connected criminal miscellaneous petition is closed.

Sd/
Assistant Registrar RTI

/True Copy/

Sub Assistant Registrar

krk

To

1. The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CN/SKS-RR/6.04.2016/2P-3C

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and
Crl.M.P. (MD) No.1983 of 2016
29.03.2016