



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP(MD) No.5783 of 2016

Aayammal

..Petitioner/Defacto complainant

Vs

State represented by
The Sub-Inspector of Police,
B-1, Melur Police Station,
Madurai District.

.. Respondent/Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to secure all the accused those who are involved in Crime No.427 of 2015, pending on the file of the respondent police.

For Petitioners

:Mr.P.Krishnasamy

For Respondent

:Mrs.S.Prabha

Government Advocate(Crl.Side)

O R D E R

This petition has been filed to direct the respondent to secure all the accused those who are involved in Crime No.427 of 2015, pending on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the State.

3. On the complaint lodged by the petitioner, the respondent police registered a case in Cr.No.427 of 2015 and after completing the investigation, they have closed the case as mistake of fact and file a final report before the learned Judicial Magistrate, Melur.

4. The learned Counsel for the petitioner submitted that after the petitioner had filed this application on 31.03.2016 for a direction to the respondent police to arrest the accused, the police have hurriedly sent the closure report by post to the petitioner which was received by the petitioner on 08.04.2016 as could be seen from the endorsement in the postal cover that was produced before this Court by the learned Counsel for the petitioner.

5. This Court does not approve of such conduct of the police. However, since the closure report has been filed, liberty of the petitioner to file a protest application before the learned Judicial Magistrate, Melur and on such application being filed, the same shall be disposed of in accordance with law



as per the decision **Vinay Tyagi Vs. State of U.P and Others** reported in **Laws (All)-2010-8-369**.

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

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Sd/-
Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Melur

2.The Sub-Inspector of Police,
B-1, Melur Police Station,
Madurai District.

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

sm:SKS-RR:05.5.2016:2P/4C

Cr1.OP No.5783 of 2016

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