

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.04.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.4903 of 2015
and M.P.No.1 of 2015

B.Baskaran

.. Petitioner

Vs

- 1.The Additional Director General of Police,
Crime Branch Criminal Investigation Department - CBCID,
SIDCO Electronics Complex, Block No.3, 1st Floor,
Guindy Industrial Estate, Chennai-32.
 - 2.The Commissioner of Police,
Chennai City,
Chennai-600 007.
 - 3.The Inspector of Police,
Crime Branch Criminal Investigation Department - CBCID,
Tirunelveli.
- .. Respondents

Petition filed under Section 482 of the Criminal Procedure Code, to direct the Additional Director General of Police, Crime Branch Criminal Investigation Dept.(CBCID), Chennai-32, the first respondent herein, to withdraw the final report filed on 28.06.2012 before the learned Judicial Magistrate-I, Tirunelveli and to further direct to entrust the case of the petitioner for investigation with any other independent agency other than Crime Branch Criminal Investigation Dept.(CBCID) that this Court may deem fit and proper.

For Petitioner : Mr.J.Thilagaraj

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

When this Criminal Original Petition was taken up, the learned Additional Public Prosecutor has produced the Status Report filed by Mr.M.Kalaiarasan, Inspector of Police, O.C.U., CBCID, Tirunelveli City, in which it is stated that based on the statements of the witnesses and based on Section 164 Cr.PC statements of the co-accused of the petitioner and the relevant

documents, the case in question was referred to as mistake of fact on 30.04.2012 by the then Inspector of Police on the ground that the averments made by the complainant / petitioner in his complaint, are not made out and the same was also informed to the petitioner and the Referred Charge Sheet in R.C.S.No.1 of 2012 had also been served on the petitioner. It is further stated that final report was also filed before the Judicial Magistrate Court No.1, Tirunelveli.

2.Since the final report had already been filed and the referred charge sheet had also been served on the petitioner, the prayer of the petitioner has become infructuous. If the petitioner has any grievance, he has to seek appropriate remedy from the jurisdictional Court.

3.With the above observation, the Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

KM

Sub Assistant Registrar

To

- 1.The Additional Director General of Police,
Crime Branch Criminal Investigation Department - CBCID,
SIDCO Electronics Complex, Block No.3, 1st Floor,
Guindy Industrial Estate, Chennai-32.
- 2.The Commissioner of Police,
Chennai City,
Chennai-600 007.
- 3.The Inspector of Police,
Crime Branch Criminal Investigation Department - CBCID,
Tirunelveli.
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.J.Thilagaraj, Advocate SR.No.25345

CrI.O.P.No.4903 of 2015
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GJII(CO)
RS(09.05.2017)