



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty Seventh day of July, Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

WEB COPY

CRL MP (MD) No.6667 of 2017

IN

CRL OP (MD) No.2223 of 2016

MANI, S/O.ARASA KONAR

... PETITIONER

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KOTTAMPATTI POLICE STATION, MADURAI DISTRICT.
CRIME NO.17 OF 2015.

... RESPONDENT

Criminal Miscellaneous Petition filed under section 482 of Criminal Procedure code, praying that in the circumstances stated therein and in the affidavit filed therewith Crl.M.P.(MD)No.6667 of 2017 on the file of the High Court The High Court will be pleased to recall the order dated 08.02.2016 made in Crl.O.P.No.2223 of 2016 on the file of this Honourable High Court and consequently direct the respondent to file final report in connection with Crime No.17 of 2015 on the file of the respondent police within a specified time as may be fixed by this Honourable High Court in accordance with law.

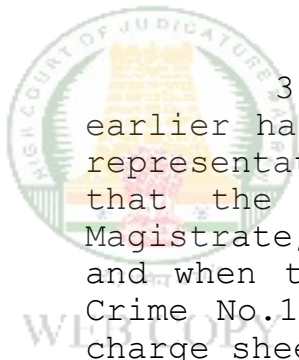
Prayer in CRL OP (MD) . 2223/ 2016 :

Criminal Original Petition is filed under section 482 of Cr.P.C to direct the respondent to file final report in connection with Cr. No.17 of 2015 on the file of the respondent police within a specified time .

Order : This petition coming on for orders on this day upon perusing the petition and the affidavit filed and upon hearing the arguments of Mr.V.SASIKUMAR, Advocate for the petitioner, and of Mr.K.ANBARASAN, Government Advocate (Crl side) on behalf of the State, this court made the following order:-

This Criminal Miscellaneous petition is filed to recall the order dated 08.02.2016, made in Crl.O.P.(MD)No.2223 of 2016 and consequently, direct the respondent to file final report in connection with Crime No.17 of 2015 on the file of the respondent police within a specified time as may be fixed by this Court in accordance with law.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.



3. The allegation in this petition is that this Court earlier has passed an order, dated 08.02.2016, on the basis of the representation of the learned Government Advocate(Criminal Side) that the final report was filed before the learned Judicial Magistrate, Melur, on 24.03.2015. However, there was no progress and when the petitioner applied for a copy of the final report in Crime No.17 of 2015, it was returned with an endorsement that the charge sheet has not been filed.

4. Based on the representation of the learned Government Advocate(Criminal Side) that the final report has been filed in Crime No.17 of 2015, this Court has passed the earlier order and however, the statement of the learned Government Advocate(Criminal Side) is proved to be wrong. Hence, this Court recall the order passed by this Court, dated 08.02.2016.

4. Accordingly, the petition is ordered.

Sd/-

Assistant Registrar(Co)

/ True Copy /

Sub Assistant Registrar(C.S.)

TO

1.THE JUDICIAL MAGISTRATE, MELUR.

2.THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE INSPECTOR OF POLICE,
KOTTAMPATTI POLICE STATION, MADURAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER DATED :27/07/2017

HEARING DATED:07.08.2017

RECALL THE ORDER

CRL MP(MD) No.6667 of 2017
IN
CRL OP(MD) No.2223 of 2016

Giving direction etc., stated
within.

MAS/KP/SAR2:07.08.2017:2P-5C