



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2017

CORAM:

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CRL.OP.(MD)No.14853 of 2017
and
CRL MP(MD)No.9895 of 2017

Murugan

... Petitioner/Accused No.2

Vs.

1. The Inspector of Police,
Thuckalay Police Station,
Thuckaly,
Kalkulam Taluk,
Kanyakumari District.
(Crime No.476 of 2013)

... 1st Respondent/Complainant

2. S.Sugantham

... 2nd Respondent/De-facto
Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Crime No.476 of 2013 on the file of the 1st respondent police, Thuckalay Police Station and quash the same against the petitioner alone.

For Petitioner	: MR.K.Sathya Singh
For R-1	: Mr.Durai Pandian, Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records relating to the FIR in Crime No.476 of 2013 on the file of the 1st respondent police, Thuckalay Police Station and quash the same against the petitioner alone.

2.This Court wanted to admit this Criminal Original Petition and grant interim order of stay, because absolutely no case is made out against the petitioner. At this stage, the learned Additional Public Prosecutor submitted that the final report has already been filed by the 1st respondent police. Therefore, I am not in a position to grant any relief to the petitioner. It is expected that the final report filed by the 1st respondent will not be mechanically taken on file by the Judicial Magistrate. Only if any offence is made out on the petitioner herein, cognizance can be



taken.

3. With this observation, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous petition is closed.

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Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Thuckalay Police Station,
Thuckaly,
Kalkulam Taluk,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 85300

KMI/DSS

TE/JC/SAR-III : 17/11/2017 : 2P/4C

ORDER MADE IN
CRL.OP(MD)No.14853 of 2017 and
CRL MP(MD)No.9895 of 2017
03.11.2017