



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2402 of 2017

A.Sunitha Bai

... Petitioner

-vs-

1. The Superintendent of Police,
Kanyakumari District @ Nagercoil.

2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

.. Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the 2nd respondent herein to investigate the case in Crime No.261/2014 dated 15.04.2014 and to file final report against all the accused in accordance with law within a stipulated period.

For Petitioner : Mr.B.Brijesh Kishore

For Respondents : Mr.K.Anbarasan

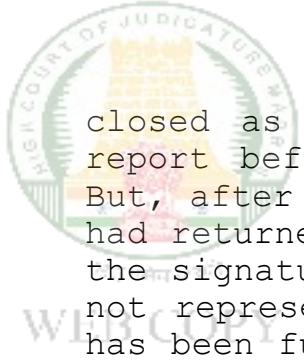
Govt. Advocate (Crl.Side)

O R D E R

On the complaint lodged by the petitioner, the respondent police registered a case in Crime No.261/2014 on 15.04.2014 under Sections 147, 448 and 323 IPC and Section 4 of Women Harassment Act against one Alex and 6 others. On the complaint given by Alex, the police have registered a case in Crime No.260/2014 on 15.04.2014 against the relatives of the petitioner for offences under Sections 448, 294(b), 324 and 506(ii) IPC. This petition has been filed by the petitioner for a direction to the respondent police to complete the investigation in Crime no.261/2014 within a stipulated period.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. Today, when the matter was taken up for hearing, Mr.J.Retnaraj Special Sub Inspector of Police, Marthandam Police Station is present. The learned Government Advocate, on instructions, submitted that the investigation in Crime No.261/2014 was completed as early as on 17.04.2014 and the case has been



closed as 'Mistake of Fact'. The police also filed the closure report before the Judicial Magistrate, Kuzhithurai on 17.04.2014. But, after having received the same, the learned Judicial Magistrate had returned the closure report on the ground that it does not have the signature of the Superior officer. Thereafter, the police have not represented the closure report. A copy of the closure report has been furnished to the learned counsel for the petitioner across the bar.

4. This Court directs the respondent police to represent the closure report before the Judicial Magistrate, Kuzhithurai within a period of two weeks from the date of receipt of a copy of this order, so that the petitioner can work out her remedy in the manner known to law.

5. With the above directions, the criminal original petition is closed.

Sd/-
Assistant Registrar (C)

/True Copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate, Kuzhithurai.
2. -do- thro' The Chief Judicial Magistrate,
Kanyakumari at Nagercoil.
3. The Superintendent of Police,
Kanyakumari District @ Nagercoil.
4. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR
TE/MR : 24/03/2017 : 2P/6C

Cr1.O.P. (MD) No.2402 of 2017
07.03.2017