



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM

WEB COPY

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

CrI.O.P.(MD) No.3415 of 2017

S.Paramasivan

... Petitioner

-vs-

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

2. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
(Crime No.233/2016)

... Respondents

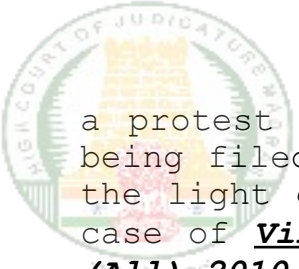
Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the respondents to do a proper and fair investigation scrupulously in the case in Crime No.233 of 2016 dated 21.11.2016 on the file of the 2nd respondent Police and further direct the 2nd respondent to file a final report thereupon in the manner known to law within the stipulated time as fixed by this Honourable Court.

For Petitioner : M/s.M.Benazir Begum
For Respondents : Mr.K.Anbarasan
Govt. Advocate (CrI.Side)

O R D E R

This petition has been filed to direct the respondents to do a proper and fair investigation scrupulously in the case in Crime No.233 of 2016 dated 21.11.2016 on the file of the 2nd respondent Police and further direct the 2nd respondent to file a final report thereupon in the manner known to law.

2. When the matter was taken up for hearing, learned Government Advocate (CrI.Side) submitted that the investigation in Crime No.233 of 2016 was completed and the case has been closed as Mistake of Fact on 13.11.2016. A copy of the closure report has been furnished to the learned counsel for the petitioner across the bar. The respondent police is directed to file the closure report before the jurisdictional Magistrate within two weeks from the date of receipt of a copy of this order. Liberty is given to the petitioner to file



a protest petition within 4 weeks thereafter and on such petition being filed, learned Magistrate is directed to consider the same in the light of the law laid down by the Hon'ble Supreme Court in the case of **Vinay Tyagi vs. State of U.P. and others**, reported in **Laws (All)-2010-8-369.**

3. With the above direction, this petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
2. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

AR

TE/JC/SAR-II : 13/04/2017 : 2P/4C

CrI.O.P. (MD) No. 3415 of 2017
23.03.2017