



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2017

WEB COPY

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THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.3834 of 2017

Muthukrishnan : Petitioner/Defacto Complainant

Vs.

1. The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.

2. The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.158 of 2015).

: Respondents/Complainants

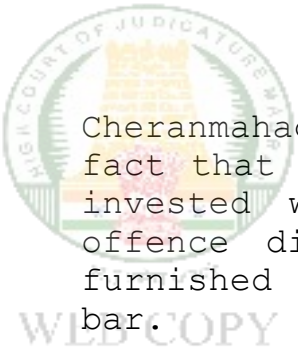
Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents to file a final report in Crime No.158 of 2015 on the file of the second respondent police, within a time frame as fixed by this Court.

For Petitioner : Mr.R.J.Karthick
For Respondents : Mr.K.Anbarasan,
Government Advocate (Crl.side)

O R D E R

Seeking a direction to the respondents to file a final report in Crime No.158 of 2015 before the concerned forum, the petitioner has come up with this petition.

2. Mr.Ashish Rawat, Assistant Superintendent of Police, Cheranmahadevi, Tirunelveli District and Mr.G.Muthu Subramanian, Inspector of Police, Cheranmahadevi Police Station, Tirunelveli District, are present. On instructions, the learned Government Advocate (Criminal side) submitted that the investigation in Crime No.158 of 2015 was completed and the case was closed as mistake of fact. The closure report was placed before the Monitoring Committee as required by law and orders were obtained from the Monitoring Committee on 11.07.2016. Thereafter, the police have filed the closure report before the learned Judicial Magistrate,



Cheranmahadevi, on 07.04.2017 in a routine manner, unaware of the fact that SC/ST Act has been amended and Special Courts have been invested with original jurisdiction to take cognizance of the offence directly. A copy of the closure report has also been furnished to the learned counsel for the petitioner across the bar.

3. Under such circumstances, the respondents are directed to get back the closure report from the learned Judicial Magistrate, Cheranmahadevi and present the same before the jurisdictional Special Court for SC/ST Act cases, within two weeks from the date of receipt of a copy of this order. Liberty is given to the petitioner to approach the concerned Special Court for SC/ST Act Cases to file a protest application, within six weeks from the date of receipt of a copy of this order.

4. This Criminal Original Petition is closed with the above direction.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

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

Copy To:-

1. The Judicial Magistrate, Cheranmahadevi.
2. The Judge,
Special Court for SC/ST Act Cases,
Tirunelveli District.

+ 1 CC TO Mr.R.J.KARTHICK, ADVOCATE IN SR No. 52435

SML

TE/JC/SAR-IV : 27/04/2017 : 2P/7C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in
CRL.O.P. (MD) No.3834 of 2017
Dated: 18.04.2017