



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **21.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

Crl.O.P(MD)Nos.1758 and 1759 of 2013 and

Crl.M.P(MD) .Nos.2226 and 2227 of 2017

1.P.M.Neelamegam

2.N.Nareshkumar

3.T.Paneerselvam

...Petitioners in both OPs

-Vs-

1.State rep. by the

Assistant Commissioner of Police,

City Crime Branch,

Trichy District. (Crime No.3 of 2012)

2.R.Kumar

3.The Inspector of Police,

CBCID, OCU, Trichy,

Crime No.1 of 2015 Trichy City ...Respondents in Crl.O.P(MD) .
No.1758/13

(R3 impleaded as per

order of this Court made in Crl.M.P(MD) .No.251/17)

1.State rep. by the

Assistant Commissioner of Police,

City Crime Branch,

Trichy District. (Crime No.3 of 2012)

2.M.Kalirajan

3.The Inspector of Police,

CBCID, OCU, Trichy,

Crime No.2 of 2015 Trichy City. ...Respondents in Crl.O.P(MD) .
No.1759/13

(R3 impleaded as per

order of this Court made in Crl.M.P(MD) .No.252/17)

PRAYER in both Crl.O.Ps.: These Criminal Original Petitions are filed under Section 482 of Cr.P.C to call for the records pertaining to the proceedings in C.C.No.255 and C.C.No.247 of 2012 respectively on the file of the learned Judicial Magistrate No.IV, Trichy and quash the same.

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

For Petitioners : Mr.A. Prabhu Rajadurai in both O.Ps



For Respondents

: Mr.K. Anbarasan
Government Advocate (Crl. Side) in both O.Ps

O R D E R

These Criminal Original Petitions are filed to call for the records pertaining to the proceedings in C.C.No.255 and C.C.No.247 of 2012 respectively on the file of the learned Judicial Magistrate No.IV, Trichy and quash the same.

2. The learned counsel appearing for the petitioners would submit that the whole enquiry was transferred to the third respondent Police and the charge sheet which was filed earlier is now taken on file in C.C.Nos.64 and 65 of 2016, before the learned Judicial Magistrate No.VI, Trichy respectively and no fresh final report was filed.

3. The learned Government Advocate (Crl. Side) would submit on instructions that further investigation is already over and the final report could not be filed, in view of the pendency of the petitions filed by the petitioners.

4. In the circumstances, these petitions are dismissed with a direction to the concerned Police to file a fresh final report before the lower Court. The petitioners are at liberty to challenge the fresh final report in case they are aggrieved by the same. Consequently, connected Miscellaneous Petitions are dismissed.

5. The learned counsel appearing for the petitioner requested this Court to dispense with the presence of the first petitioner in both the Criminal Original Petitions.

6. Since the final report after further investigation is yet to be taken on file, the presence of the first petitioner is dispensed with, unless or otherwise his presence is required by the order of the Court.

Sd/-

Assistant Registrar(crl side)

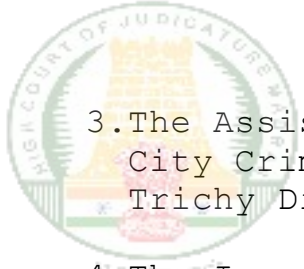
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Sub Assistant Registrar

To

1.The Judicial Magistrate No.VI, Trichy.

<https://hcservicescourts.gov.in/hcservice> Chief Judicial Magistrate, Trichy.



3.The Assistant Commissioner of Police,
City Crime Branch,
Trichy District.

4.The Inspector of Police,
CBCID, OCU, Trichy,
Trichy City.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Trp
MAS/KK/SAR3:30.08.2017:3P-6C

Cr1.O.P(MD)Nos.1758 and 1759 of 2013 and
Cr1.M.P(MD) .Nos.2226 and 2227 of 2017
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