

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.22171 of 2018

O.N.K.Sabapathy

... Petitioner

Vs.

1.State rep. By

The Sub-Inspector of Police,
Magudanchavadi Police Station,
Salem District

2.Gopalakrishnan

... Respondents

Prayer: Criminal Original petition filed under Section 482 of the Criminal Procedure Code, to direct the first respondent to investigate the case in Crime No. 142 of 2016, properly and seize the documents and material objects mentioned in F.I.R. (No.1 to 18 mentioned above) and pass such further or other order as this Hon'ble Court.

For Petitioner : Mr.B.Vasudevan

For Respondent No.1 : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This petition has been filed by the defacto-complainant to direct the first respondent to complete the investigation and file a final report at early.

2. The learned counsel for the petitioner has submitted that based on the complaint given by the petitioner, the first respondent has registered a case on 06.04.2016, in Crime No.142 of 2016, under Sections 448, 324, 323, 506 (ii) and 379 of Indian Penal Code and thereafter no steps have been taken and hence, he requests to direct the first respondent to complete the investigation and file a final report at early.

3. The learned Government Advocate (Crl.side) has submitted that after registering a case, investigation has been done and the matter has been referred as mistake of fact. When the first

respondent attempted to serve notice to the petitioner, the petitioner refused to receive the same and hence, the report with regard to refer the charge sheet has not been filed before the concerned Court.

4. The learned counsel for the petitioner by way of reply has submitted that the first respondent has not served any notice to the petitioner and the petitioner has also not refused to receive the same.

5. Considering the aforesaid submissions, the first respondent is directed to send notice to the petitioner by RPAD with regard to the filing of referred charge sheet and thereafter file the same before the concerned court within a period of fifteen days from the date of receipt of a copy of this order.

6. With the above observations, the criminal original petition stands disposed of.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

nmm/dss

To

1.The Sub-Inspector of Police,
Magudanchavadi Police Station,
Salem District.

2.The Public Prosecutor,
Madras High Court, Chennai.

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CSL/25.10.2018

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