

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.25546 of 2018

Major Dr.V.Govindarajalu
S/o.G.Venkatraman

... Petitioner

Vs.

1.The State rep. by
The Deputy Superintendent of Police,
District Crime Branch,
Nagapattinam.

2. Thiru.T.Devaraj

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records FIR pending in Crime No.2/2017 dated 19.07.2017 on the file of the first respondent and to quash the same.

For Petitioner : M/s.K.M.Subramaniam

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR pending in Crime No.2/2017 dated 19.07.2017 on the file of the first respondent.

2.Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for respondents.

3.It seen from records that the respondent police have registered a FIR against the petitioner in Crime No.2 of 2017 for an alleged offence under Sections 406, 409 and 420 of IPC. After investigation, the closure report has been filed before the Court below and the RCS notice has also been served on the de-facto complainant in RCS No. 80 of 2017 dated 05.01.2018.

4.According to the petitioner this RCS notice is pending before the Court below. Now, that the investigation itself has ended with the closure report filed by the respondents Police, there is no scope for this court to quash the FIR as sought for by the petitioner. If, the second respondent wants to pursue

further in the matter by filing a protest petition, it is for the petitioner to work out his remedy at that point of time in the manner known to Law.

5. In view of the present status of the case, nothing survives in this Criminal Original Petition to be adjudicated. Accordingly this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

rri/rm

To

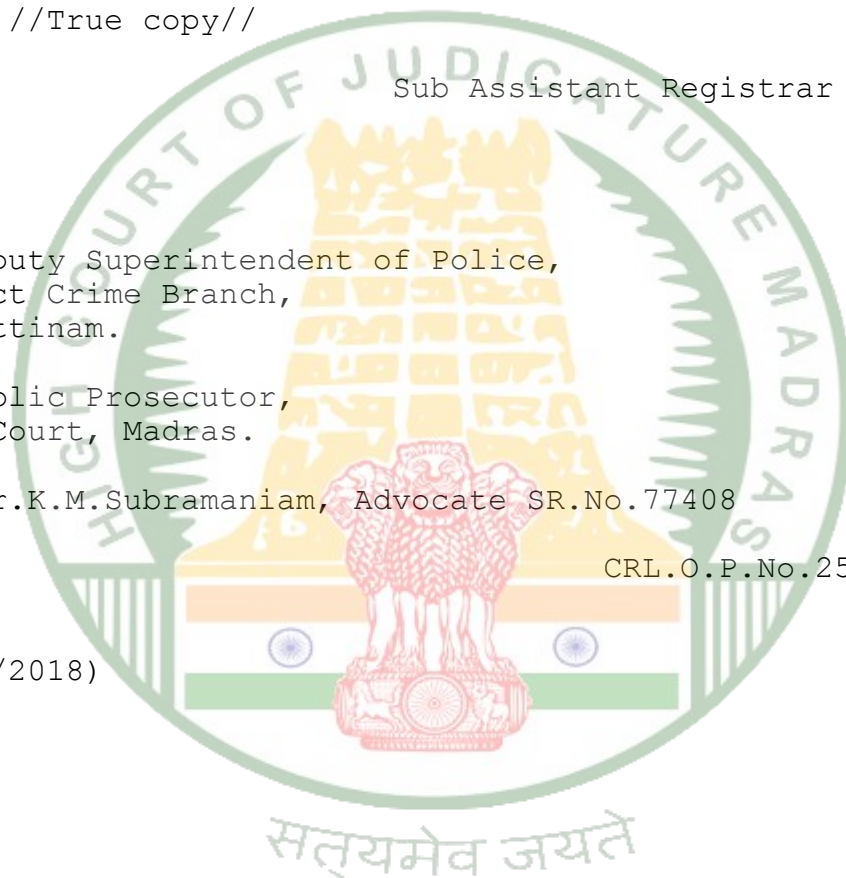
1. The Deputy Superintendent of Police,
District Crime Branch,
Nagapattinam.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.M.Subramaniam, Advocate SR.No.77408

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SVN(CO)
GMY(07/12/2018)



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