

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.11.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26977 of 2018

A.Selvaganapathy

...Petitioner

Versus

State by its
Inspector of Police,
Chidambaram Police Station,
Chidambaram,
Cuddalore District.
(Crime No.96 of 2012)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to file the final report in Crime No.96 of 2012, dated 29.02.2012 pending investigation on the file of the respondent.

For Petitioner : Mr.K.G.Senthil Kumar

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

ORDER

This petition has been filed seeking for direction to the respondent police to file a final report within a time frame fixed by this Court.

2. Earlier, when the petitioner had filed a petition to quash the FIR in Crime No.96 of 2012 in CrI.O.P.No.17655 of 2016, this Court passed the following order:

..3. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that investigation in Cr.No.96 of 2012 was completed and final report was filed as early as 19.04.2012 before the Judicial Magistrate No.II, Chidambaram.

4. Recording the same, this petition is closed with liberty to the petitioner to workout his remedy in the manner known to law. Consequently, connected miscellaneous petition is closed.

3. The learned counsel for the petitioner would submit that when the copy application was filed before the Court below, the same has been returned on 31.07.2018 with an endorsement that only the FIR and the confession statement is available before the Court and the final report is not available before the Court.

4. The learned Additional Public Prosecutor, on instructions, would submit that it is a fact that the final report was filed before the Court below and it has gone missing. Therefore, the respondent police must be permitted to file true copy of the final report along with other materials collected during the course of investigation.

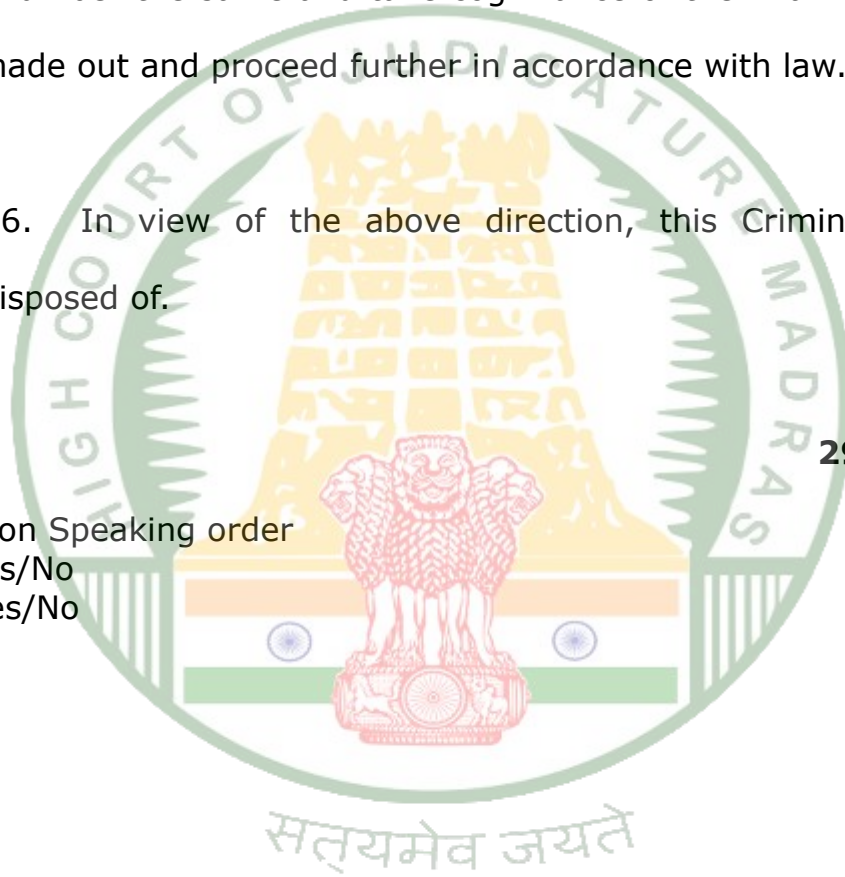
5. In the facts and circumstances of the case, the respondent police is permitted to file the true copy of the final report along with other materials collected during the course of investigation. The Court below is directed to number the same and take cognizance of the final report, if an offence is made out and proceed further in accordance with law.

6. In view of the above direction, this Criminal Original Petition is disposed of.

29.11.2018

Speaking/Non Speaking order
Index : Yes/No
Internet: Yes/No

ub/ssr



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N.ANAND VENKATESH.J.,

ub/ssr

To

1. Inspector of Police,
Chidambaram Police Station,
Chidambaram,
Cuddalore District.

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



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