

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 14.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.29290 of 2018
and
Crl.M.P.No.17175 of 2018

J.Suresh Babu Petitioner/ Accused
Vs.

1.The State rep. by,
The Inspector of Police,
Thindivanam Town Police Station,
Thindivanam, 1st Respondents/ Complainant

2.S.Jayamary 2nd Respondent / Defacto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in connection with FIR in Crime No.986 of 2017 on the file of the first respondent Inspector of Police, Tindivanam Town Police Station, Tindivanam and quash the same.

For Petitioner : Mr.S.Muthayan

For R-1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the proceedings in Crime No.986 of 2017, pending on the file of the first respondent.

2.The learned Additional Public Prosecutor would submit that this Court has already passed an order in Crl.O.P.No.28375 of 2018 dated 05.12.2018, wherein this Court has directed the respondent police to file a final report within a stipulated time. Pursuant to the orders passed by this Court, the

respondent police having investigated the case and investigation itself is almost completed.

3.The learned counsel for the petitioner would submit that the de-facto complainant herself had given an undertaking dated 27.11.2017 agreeing to withdraw the complaint since the entire amount has been repaid back.

4.This Court does not want to interfere with the investigation at this stage. It is left open to the petitioner to place this record before the respondent police and the respondent police shall take this into consideration before filing of a final report or a closure report, as the case may be, as per the direction issued by this Court in the order referred supra.

5.Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Thindivanam Town Police Station,
Thindivanam.

Copy to:

The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.S.Muthayan, Advocate sr.no.86809

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nr 07/01/2019