



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.7473 of 2014

and

M.P. (MD) .No.1 of 2014

1.M.Amutha Valarmathi

2.P.Thomas Arulraj

... Petitioners/Accused 1 & 2

-Vs-

State represented by

1.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

(Crime No.525 of 2013)

... Respondent/Complainant

2.P.Sunil

... Respondent/Defacto complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the First Information Report in Crime No.525 of 2013 dated 10.07.2013 on the file of the respondent No.1 alleged for the offences under Sections 406, 468, 471 and 420 of I.P.C and quash the same as illegal.

For Petitioners : Mr.T.Lajapathiroy

For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

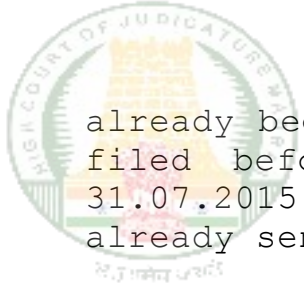
For 2nd Respondent : Mr.C.Muthu Saravanan

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to the First Information Report in Crime No.525 of 2013 dated 10.07.2013 on the file of the respondent No.1 and quash the same.

2.Heard both sides.

<https://hcservices.courts.gov.in/hcservices/>
3.On 01.03.2018 this matter is taken up for hearing, the learned Government Advocate (Crl.Side) has submitted that this matter has



already been referred as 'mistake of fact' and a report has been filed before the concerned Judicial Magistrate, Thuckalay on 31.07.2015. He further submitted that RCS notice No.18/2015 was already sent to the defacto complainant.

4.The learned counsel for the second respondent has submitted that sofar, the first respondent has not served Rcs notice.

5.Considering the aforesaid submissions, this Criminal Original Petition is dismissed as infructuous. The first respondent is directed to serve Rcs notice to the second respondent/defacto complainant by RPAD within a period of one week from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Vs

AE/JC/SAR4/06.04.2018/2P/3C

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