



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P. (MD) .No.13824 of 2017

WEB COPY

Ramesh

...Petitioner

Vs.

1.The Superintendent of Police
Karur District, Karur.

2.The Inspector of Police
Pasupathipalayam Police Station,
Pasupathipalayam,
Karur District.
In Cr.No.401/2015.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the learned Judicial Magistrate No.I, Karur to conduct the enquiry in R.C.S.No.35 of 2016 in Crime No.401 of 2015 on the file of the second respondent enabling the petitioner to file a protest petition, within stipulated time fixed by this Court.

For Petitioner : Mr.S.Gokul Raj

For Respondents : Mr.S.Bharathi
Government Advocate

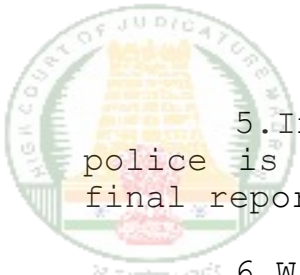
ORDER

This petition has been filed for a direction to the learned Judicial Magistrate No.I, Karur to conduct the enquiry in R.C.S.No.35 of 2016 in Crime No.401 of 2015 on the file of the second respondent.

2.The learned counsel for the petitioner would submit that a complaint was given by her, on the ground that 20 sovereigns of gold, which was kept by her was missing and the same has been suspected to be taken by three named persons. A complaint was also lodged before the second respondent police and the second respondent police registered an F.I.R. in Crime No.401 of 2015.

3.The learned counsel for the petitioner would further submit that the respondent police without conducting an investigation, filed a final report as "undetected".

4.This Court has time and again held that "undetected" is only a stage in investigation and a final report can never be filed on that ground.



5. In the facts and circumstances of the case, the respondent police is directed to continue with the investigation and file a final report under Section 173(2) Cr.P.C.

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

Sd/-

Deputy Registrar (Accounts)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Judicial Magistrate No. I,
Karur.
2. The Superintendent of Police
Karur District, Karur.
3. The Inspector of Police
Pasupathipalayam Police Station,
Pasupathipalayam,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr. S. Gokul Raj, Advocate, SR.No.88127

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ES/SV/SAR 1/08.11.2018/2P/6C