



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD)No.2725 of 2016

and

Crl.M.P.(MD)No.1334 of 2016

B.K.Gowth

... Petitioner/Accused No.2

Vs.

1.State represented through
The Inspector of Police,
Valliyoor Police Station,
Radhapuram Taluk,
Tirunelveli District.
(In Crime No.388 of 2015)

... 1st Respondent/ Complainant

2.S.Marthal

...2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in respect of Crime No.388 of 2015 pending on the file of the first respondent and quash the same insofar as the petitioner's concerned.

For Petitioner	: Mr.K.Samidurai
For R1	: Mr.Prabhu Ramachandran, Government Advocate (Crl.Side)
For R2	: Mr.K.Sudalaiyandi

ORDER

This Criminal Original Petition has been filed to call for the records in respect of Crime No.388 of 2015 pending on the file of the first respondent and quash the same insofar as the petitioner's concerned.

2.The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that the case has been enquired and closed as "mistake of fact" and the first respondent police has filed a final report before the concerned Judicial Magistrate Court. Therefore, the Criminal Original Petition may be disposed

3.In view of the letter circulated by the learned counsel



appearing for the petitioner as well as the submission made by the learned Government Advocate (Crl.Side), this Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

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/True copy/

Sd/
Assistant Registrar(T&P)

Sub Assistant Registrar

To

1.The Inspector of Police,
Vallioor Police Station,
Radhapuram Taluk,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.SAMIDURAI, Advocate, SR.No. 68394

Crl.O.P.(MD)No.2725 of 2016
14.06.2018

MYR
KK/JC/SAR-3/29.06.2018/2P-4C/