



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

Crl.O.P. [MD] .No.19365 of 2018

WEB COPY

Kr.Nagarajan

: Petitioner

Vs.

The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to drop the investigation in Cr.No.437 of 2018 on the file of the respondent police based on the withdrawal letter dated 01.10.2018 of the defacto complainant after completing appropriate enquiry.

For Petitioner : Mr.RM.Arun Swaminathan
For Respondent : Ms.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking to drop the investigation in Cr.No.437 of 2018 on the file of the respondent police based on the withdrawal letter dated 01.10.2018 of the defacto complainant after completing appropriate enquiry.

2.The learned counsel for the petitioner would submit that an FIR has been registered against the petitioner and his son in Crime No.437 of 2018 for the alleged offence under Sections 341, 294(b), 323, 324 and 506(2) IPC. The learned counsel would further submit that the defacto complainant himself has withdrawn the complaint given against the petitioner and his son, by his letter dated 22.09.2018. In spite of withdrawal of the complaint, the respondent police is keeping the case still pending. According to the petitioner, the son of the petitioner is a practicing advocate and due to pendency of the above said case, he is facing lots of hardship.

3.The learned Government Advocate appearing for the respondent police would submit that the respondent police will conduct enquiry on the withdrawal of the complaint made by the defacto complainant and take appropriate action.

4.In view of the above submission, the respondent police is directed to call the parties for enquiry and if the defacto complainant does not want to prosecute the case further, the respondent police shall take appropriate action in accordance with



law within a period of ten days from the date of receipt of a copy of this order.

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

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Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. RM. Arun Swaminathan, Advocate Sr.No. 93254

TA

VB/RSK/SAR1/02.11.2018/2P/4C

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