

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.11.2018****CORAM:****THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA****Cr1.O.P. (MD)No.20581 of 2018****&****Cr1.M.P. (MD)No.9511 of 2018**

Pratheesh, S/o.Sukumaran

.. Petitioner/Accused No.4

vs.

1. State Rep. by
The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

..1st Respondent/Complainant

2.Krishnan

.. 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the proceedings in Crime No.432 of 2012 on the file of the first respondent police as against the petitioner.

For Petitioner : Mr.S.Micheal Heldon Kumar

For R1 : Mr.A.Robinson
Government Advocate (Cr1. side)**ORDER**

This Petition has been filed seeking to quash the FIR in Crime No.432/2012 pending on the file of the first respondent.

2.The learned counsel for the petitioner would submit that on the compliant of the second respondent, the first respondent registered a case in Crime No.432/2012 against the petitioner for the offences punishable under Sections 147, 341, 294(b), 323 and 506 (ii) IPC. He would further submit that though the case has been registered as early as on 10.06.2012, final report has not been filed so far.

3.On the last occasion, it was brought to the notice of this Court that final report has been filed in the year 2012 and it was also submitted by the learned Government Advocate (Criminal side) that after filing of the final report, no steps have been taken by the first respondent either to number the same or proceed with the trial. This Court finding that there are laches on the part of the first respondent, directed the first respondent to appear before this Court on 23.11.2018 [Today].



4.As per the direction of this Court, the first respondent appeared today and he would reiterate that the final report was filed on 26.10.2012.

5.Recording the above said submission, this Petition is closed. Consequently, connected Miscellaneous Petition is also closed. However, the learned Judicial Magistrate, Eraniel, is directed to take the case on file and proceed in accordance with law and complete the trial as expeditiously as possible.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. Learned Judicial Magistrate, Eraniel.
2. Chief Judicial Magistrate, Eraniel.
3. The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Micheal Heldon Kumar,Advocate Sr.No.96829.

SMN2

KM/SV/SAR2/06.12.2018/2P/6C

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