

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 01.04.2019

CORAM:
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7849 of 2019
and
Crl.M.P.No.4270 of 2019

R.Sabarinathan

... Petitioner/Accused

Vs.

1.State, represented by
The Inspector of Police,
Abiramapuram Police Station,
Mylapore, Chennai. ... 1st Respondent

2. S.Rajalakshmi 2nd Respondents/De- Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No.739 of 2017 on the file of the 1st respondent and quash the same as illegal, incompetent and abuse of process by allowing the present Criminal Original Petition.

For Petitioner : M/s.S.Hemalatha

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the FIR in Crime No.739 of 2017 on the file of the first respondent police, for offences under Sections 147, 448 and 427 of IPC, as against the petitioner.

2.The learned counsel for the petitioner submitted that they filed a copy application on 29.03.2019, seeking copy of the charge sheet, but it was returned for the reason that no charge sheet was filed by the first respondent.

3. The learned Additional Public Prosecutor would submit that the first respondent police has completed the investigation in Crime No.739 of 2017 and also filed a charge sheet in S.No.1482 of 2018 issued on 03.10.2018 before the learned Metropolitan Magistrate No.XXII, Saidapet.

4. Considering the facts and circumstance of this case, quashing of FIR cannot be considered now and the prayer sought for in this petition has become infructuous. However, the learned Metropolitan Magistrate No.XXII, Saidapet is directed to take the charge sheet on file within a period of two weeks from the date of receipt of the copy of the order.

5. At the same time, the petitioner is also at liberty to challenge the final report, if so advised.

6. In the result, this Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

rri

To

1. The Inspector of Police,
Abiramapuram Police Station,
Mylapore, Chennai.
2. The Metropolitan Magistrate No.XXII,
Saidapet.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.Hemalatha, Advocate, S.R.No.29455
+1cc to M/s.B.Kavya, Advocate, S.R.No.30833

CrI.O.P.No.7849 of 2019
and
CrI.M.P.No.4270 of 2019

RSI (CO)

RRS (27/05/2019)

WEB COPY