

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.11857 of 2019

M.Sivakumar

.. Petitioner

Vs.

1.The Sub Inspector of Police,  
Melpadi Police Station,  
Melpadi, Vellore.

2.D.Ramamurthy .. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in Crime No.120/15, on the file of the respondent police and quash the same.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mr.M.Mohamed Riyaz (for R1)  
Additional Public Prosecutor

O R D E R

When this case came for hearing on 07.06.2019, this Court passed the following orders:-

"This Court has already passed an order in Crl.O.P.No.11645 of 2018 dated 06.07.2018 wherein this Court had recorded the fact that the final report had already been filed before the learned Judicial Magistrate, Katpadi on 25.04.2015. However, it is the grievance of the petitioner that till today the final report is not found on the file of the learned Judicial Magistrate, Katpadi and therefore left with no other option, the F.I.R. Is again challenged before this Court.

2.Therefore, the learned Government Advocate is directed to take instructions and report before this Court on 12.06.2019."

2.The learned Additional Public Prosecutor on instructions submitted that there is a vacancy in the Court of Judicial Magistrate, Katpadi and therefore, there is some

difficulty in the final report from being taken cognizance by the Court below.

3.The learned counsel for the petitioner submitted that eventhough the final report is said to have been filed in the year 2018, till date there is absolutely no progress and therefore some direction must be given by this Court to the Court below to take cognizance of the final report.

4.Taking into consideration the facts and circumstances of the case, there shall be a direction to the Judicial Magistrate, Katpadi to take cognizance of the final report filed by the Sub-Inspector of Police, Melpadi Police Station in Crime No.120 of 2015, within a period of four weeks from the date of receipt of a copy of this order and proceed further in accordance with law.

5.This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Judicial Magistrate,  
Katpadi, Vellore.

2.The Sub Inspector of Police,  
Melpadi Police Station,  
Melpadi, Vellore.

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.S.T.Varadarajulu, Advocate, S.R.No. 55652

Cr1.O.P.No.11857 of 2019

RGN(CO)  
GN(29/07/2019)