



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.3590 of 2019

and

Crl.M.P.(MD)No.2053 of 2019

WEB COPY

1.Fathima Jinna

2.Akbarsh

: Petitioners/Accused 1 and 2
Vs.

1.The Inspector of Police,

Tirunelveli Town Police Station,

Tirunelveli City,

Tirunelveli District.

(Crime No.240/18)

:1st Respondent/Complainant

2.Jahir Hussain Pijili

:2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned charge sheet in Crime No.240 of 2018 pending on the file of the first respondent police and quash the same.

For Petitioner

: Mr.S.Selvakumar

For R-1

: Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate (Crl.Side)

ORDER

The present petition is filed to quash the proceedings in Crime No.240 of 2018 pending before the first respondent.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the first respondent.

3. The learned Government Advocate (Crl.Side) submitted that the investigation in this case is completed and charge sheet has also been laid on 31.10.2018 before the Magistrate concerned but the same is not taken on file.

4. The submission made by the learned Government Advocate (Crl.Side) is recorded. Since the charge sheet has already been laid in this case, nothing survives for further adjudication in this case. However, the petitioner is at liberty to challenge the final report, if there are grounds made available to him. In the meantime, the learned Chief Judicial Magistrate, Tirunelveli is directed to hold an enquiry as to why the final report laid on



31.10.2018 has not been taken on file for more than four months and file a report to this Court on the action taken in this regard.

5. This criminal original petition is dismissed, accordingly. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Chief Judicial Magistrate,
Tirunelveli.
- 2.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli City,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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08.03.2019

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KK/SAR/10.04.2019/ 2P- 4C