



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
Cr1.O.P. [MD]No.4333 of 2019

Thangaraj : Petitioners

Vs.

The State rep.by
The Inspector of Police,
Pavoorchathiram Police Station,
Tirunelveli District.
(Crime No.300 of 2016) : Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to file a final report in Crime No.300 of 2016 dated 03.07.2016 on the file of the respondent police within a time stipulated by this Court.

For Petitioners : Mr.A.D.Ganeshamoorthi
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

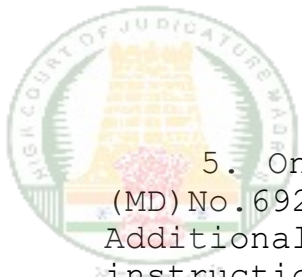
ORDER

The Criminal Original Petition has been filed to direct the respondent to file a final report in Crime No.300 of 2016, dated 03.07.2016 on the file of the respondent police.

2. The learned counsel for the petitioner submitted that earlier the petitioner had preferred Cr1.O.P.(MD)No.6920 of 2017 for identical purpose and this Court vide its order dated 09.06.2017 directed the respondent police to file final report expeditiously. Since the same was not done, the petitioner had again approached this Court with the present petition.

3. The learned Additional Public Prosecutor on instructions now submits that the action has been dropped on this case as 'mistake of fact' and final report to that effect has been laid before the concerned Magistrate Court on 03.07.2016. He also submits that notice on the same has been served on the petitioner.

4. The learned counsel for the petitioner submitted that if only the statement has been made when the petitioner approached this Court in Cr1.O.P.(MD)No.6920 of 2017, there would not be any need for the petitioner to approach this Court now.



5. On the face of the order passed by this Court in Crl.O.P. (MD)No.6920 of 2017 and the statement made by the learned Additional Public Prosecutor it is evident that irresponsible instructions have been given on the earlier occasion which has resulted in the petitioner coming out with this petition now. This is an unnecessary expense for the petitioner and it has to be compensated. Therefore, the concerned Inspector of Police is directed to pay a sum of Rs.2,000/- to the petitioner for putting him to inconvenience and the petitioner is also directed to approach the concerned Magistrate Court for appropriate remedy available for him as per law.

6. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

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

+1CC TO MR.A.D.GANESHA MOORTHY, Advocate Sr. No.57485

Crl.O.P. [MD]No.4333 of 2019
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TR (30.04.2019) 2P 5C