



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

Cr1.O.P. (MD) No.4847 of 2019

S.Lakshmanan

...Petitioner

Vs.

The Inspector of Police,
Alangulam Police Station,
Tirunelveli District.
[Crime No.428 of 2013]

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondent to expedite the investigation in Crime No.428 of 2013 dated 02.09.2013 and file the final report within a time frame as may be fixed by this Court.

For Petitioner : Mr.A.Sankararamasubramanian

For Respondent : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

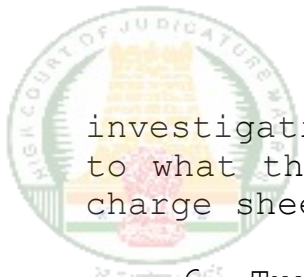
This petition is filed to direct the respondent to expedite the investigation in Crime No.428 of 2013 dated 02.09.2013 and file the final report.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned Additional Public Prosecutor submitted that on 04.08.2018, a closure final report was filed stating that the case is mistake of fact. He further submitted that RCS notice was not served on the petitioner.

4. It is very unfortunate that a practice judicially evolved for serving notice of RCS on the defacto complainant is seen flouted by several investigating officers and this Court frequently witnesses this situation.

5. The Registry is now directed to place this order before the concerned Inspector General of Police, who shall now direct the



investigating officers through other Superintendent of Police as to what the investigating officers shall do in case they file the charge sheet as mistake of fact.

6. Turning to the petitioner, he is now directed to approach the concerned Magistrate Court for obtaining appropriate remedies.

7. With the above observations, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Inspector of Police,
Alangulam Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
3. The Inspector General of Police,
Madurai Range.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.SANKARARAMASUBRAMANIAN, Advocate (SR-58065[F]
dated 01/04/2019)

Crl.O.P.(MD)No.4847 of 2019
01.04.2019

sm

AE/(31.07.2019) 2P 6C