



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.04.2019**

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P.(MD)No.6317 of 2019

K.Sudarmathy

: Petitioner

/Vs./

1. The Superintendent of Police,
Pudukkottai District, Pudukkottai.
2. The Deputy Superintendent of Police,
Keeranur Division, Pudukkottai District.
3. The Inspector of Police,
Mathur Police Station, Pudukkottai District. : Respondents
[Crime No.190 of 2018]

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the 2nd respondent to investigate the case and expeditiously file a final report in Cr.No.190 of 2018 on the file of the 3rd respondent before the competent learned Judicial Magistrate within the stipulated time limit as fixed by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai
For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to investigate the case and expeditiously file a final report in Cr.No.190 of 2018 on the file of the 3rd respondent before the competent learned Judicial Magistrate.

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

3.The learned Additional Public Prosecutor submitted that the case has been referred as "Mistake of Fact". He also fairly conceded that no notice was served on the petitioner regarding the same.

4. In view of the above statement, the respondent police is directed to serve RCS notice on the petitioner within a period of one week from the date of receipt of a copy of this order and also to lay a final report before the concerned Magistrate, within a period of one week therefrom, if the same is not done so. The petitioner is free to approach the concerned Magistrate Court with protest petition.



5. If the Investigating Officer does not file the final report before the concerned Magistrate within the time stipulated, the Investigating Officer shall pay a cost of Rs.1,000/- [Rupees One Thousand only] to the credit of the District Legal Services Authority, Pudukkottai District. Accordingly, this Criminal Original Petition is disposed of.

sd/
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukkottai District, Pudukkottai.
2. The Deputy Superintendent of Police,
Keeranur Division, Pudukkottai District.
3. The Inspector of Police,
Mathur Police Station, Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The District Legal Services Authority,
Pudukkottai district

+1 CC to Mr.A.PRASANNA RAJADURAI, Advocate (SR-64148[F] dated
30/04/2019)

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