



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2019

CORAM :

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. (MD) No. 6347 of 2019

B.Kottiappan

... Petitioner/De-Facto complainant

/Vs./

The Inspector of Police, Thiruvengadam Police Station,
Thirunelveli District.
[Crime No.154 of 2012]

... Respondent/Complainant

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the respondent to file a final report before the jurisdictional Judicial Magistrate Court in Crime No.154 of 2012 within a time stipulated by this Court.

For Petitioner
For Respondent

: Mr.P.Subbaraj
: Mr.V.Neelkandan
Additional Public Prosecutor

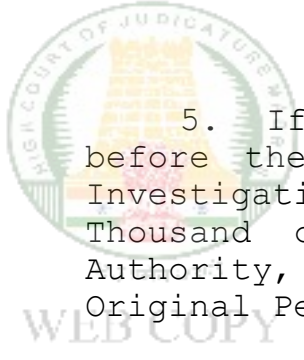
ORDER

This petition is filed to direct the respondent to file a final report before the jurisdictional Judicial Magistrate Court in Crime No.154 of 2012.

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" and he conceded that RCS notice was not served on the petitioner.

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, Thirunelveli District. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Thiruvengadam Police Station, Thirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

3.The District Legal Services Authority,
Tirunelveli.

+1 CC to M/s.P.SUBBARAJ, Advocate SR-63638.

CrI.O.P. (MD)No.6347 of 2019

CS: (30/05/2019) 2P 5C