



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.13708 of 2019

P.Kandasamy

... Petitioner/Petitioner/Accused

-Vs-

State rep by
The Sub-Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(crime No.676 of 2011)

... Respondent/Respondent/
Defacto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crl.M.P. Nil of 2013 in Crime No.676 of 2011 dated 22.03.2013 by the Judicial Magistrate, No.I, Karur set aside the same and direct the respondent to file final report before the concerned Court.

For Petitioner	: Mr.K.P.S.Palanivelrajan
For Respondent	: Mr.R.Suyambulinga Bharathi Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in Crl.M.P. Nil of 2013 in Crime No.676 of 2011 dated 22.03.2013 by the Judicial Magistrate, No.I, Karur and direct the respondent to file a final report before the concerned Court.

2. On the complaint lodged by the petitioner, the respondent police has registered a case in Crime No.676 / 2011 for the punishable offence under Sections 294 (b) & 323 IPC. Thereafter, the respondent police did not complete the investigation and did not file any final report. Therefore, the learned Judicial Magistrate, No.I, Karur has closed the FIR for the reason that no charge sheet and final report is filed, within the period of limitation under Section 468 (b) Cr.P.C.

3.The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the respondent police has already investigated the complaint and closed the same as 'mistake of fact'.



4.Considering the fact and circumstances, the order passed by the learned Magistrate cannot be sustained. Accordingly, the proceedings in Crl.M.P. Nil of 2013 in Crime No.676 of 2011 on the Judicial Magistrate, No.I, Karur is hereby quashed.

5.The respondent police is directed to file a final report before the learned Judicial Magistrate, No.I, Karur within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

1.The Judicial Magistrate,
No.I, Karur

2. The Sub-Inspector of Police,
Pasupathipalayam Police Station,
Karur District.

COPY TO:

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

+1CC to M/s.K.P.S.PALANIVELRAJAN, Advocate SR-91049[F]dated
03/10/2019

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DSS
MS/04.10.2019/2P.5C