



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Crl.O.P (MD) . Nos.14932 of 2015 and 11229 of 2017

and

Crl.M.P. (MD) No.1 of 2015

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Crl.O.P (MD) . No.14932 of 2015

- 1.Lawrance
- 2.I.Wilson
- 3.I.Melson
- 4.I.Ravichandran

... Petitioners /Accused Nos.1 to 4

Vs

- 1.The State Rep. by its
The Inspector of Police,
Aralvai Mozhi Police Station,
Kanyakumari District.
(Crime No.280 of 2015)

... Respondent / Complainant

- 2.Irudhayaraj

...Respondent / Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records from the respondent police in Crime No.280 of 2015 and quash the same as illegal.

For Petitioners : Mr.J.Jeyakumar

For Respondents : Mr.A.Robinson

Government Advocate (Crl. side) (for R1)

Mr.G.Ramanathan (for R2)

Crl.O.P (MD) . No.11229 of 2017

Erudhayaraj

... Petitioner / Defacto Complainant

Vs.

- State Rep. by
- 1.The Superintendent of Police,
Nagercoil, Kanyakumari District.

- 2.The Inspector of Police,
Aralvai Mozhi Police Station,
Kanyakumari District.
(Crime No.280 of 2015)

... Respondents / Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the second respondent to file the final report in Crime No.280 of 2015, dated 16.07.2015 pending on the file of the



second respondent police.

For Petitioner
For Respondents

: Mr.G.Ramanathan
: Mr.A.Robinson
Government Advocate (Crl. side)

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COMMON ORDER

The petitioners in Crl.O.P.(MD)No.14932 of 2015 stand accused in Crime No.280 of 2015, registered on the file of the Aralvaimozhi Police Station, for the offences under Sections 341, 294(b), 323 and 506(i) of IPC. To quash the same, Crl.O.P.(MD)No.14932 of 2015 has been filed.

2.The learned counsel appearing for the petitioners in Crl.O.P.(MD)No.14932 of 2015 reiterated all the contentions set out in the memorandum of grounds. They are rather factual in nature.

3.The arguments made by the petitioners' counsel are not sufficient for invoking the inherent powers of this Court. These are all matters for investigation. Therefore, I am not inclined to grant the relief sought for by the petitioners.

4.It is made clear that this Court has not gone into the merits of the matter. The dismissal of this petition will not be construed as casting any reflection on the case of the petitioners herein.

5.With these observations, Crl.O.P.(MD)No.14932 of 2015 stands dismissed. Consequently, connected miscellaneous petition is closed.

6.The case was registered as early as in the year 2017 and the de-facto complainant wants the respondent police to file a final report. No exception can be taken to the said request. The second respondent is directed to file the final report in Crime No.280 of 2015, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on merits of the matter. Accordingly, Crl.O.P.(MD)No.11229 of 2015 stands allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
Aralvai Mozhi Police Station,
Kanyakumari District.

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

+1 CC to M/s.G.RAMANATHAN, Advocate (SR-93425[F] dated 22/10/2019)
+1 CC to M/s.J.JEYAKUMARANA, Advocate (SR-93754[F] dated 23/10/2019

Cr1.O.P(MD) . Nos.14932 of 2015 and 11229 of 2017
21.10.2019

SMA/17/12/19/3P/6C