



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 02.12.2019**

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**Cr1.O.P. (MD)No.3253 of 2017**

**and**

**Cr1.M.P (MD)No.2479 of 2017**

V.Mayilvaganan

... Petitioner/Sole Accused

Vs.

1. State represented by  
The Inspector of Police,  
Kadaladi Police Circle,  
Kadaladi.  
[Crime No.119 of 2015]

... 1<sup>st</sup> Respondent/Complainant

2.M.Selvam

... 2<sup>nd</sup> Respondent/Defacto Complainant

**Prayer:** Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the FIR in Crime No.119 of 2015, on the file of the Inspector of Police, Kadaladi Police Station, Ramanathapuram District dated 20.11.2015 and quash the same.

|                |                              |
|----------------|------------------------------|
| For Petitioner | : Mr.M.Muniasamy             |
| For Respondent | : Mr.K.K.Ramakrishnan,       |
| No.1           | Additional Public Prosecutor |
| For Respondent | : No appearance              |
| No.2           |                              |

**ORDER**

This petition is filed by the accused in Crime No.119 of 2015 pending on the file of the Inspector of Police, Kadaladi Police Station to quash the case registered against him in Crime No.119 of 2015.

2.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State, on instructions, from the respondent Police submitted that even before filing of this petition on 16.03.2017, the respondent Police concluded the investigation and also filed a final report before the Judicial Magistrate, Mudhukulathur and the same was also taken on file in C.C.No.10 of 2018 and in view of the further



development, the case was also transferred to the learned Judicial Magistrate, Kadaladi and the same is pending in C.C.No.81 of 2019 and posted for examination of witness on 07.12.2019.

3.The learned Counsel for the petitioner submitted that while admitting this petition, this Court by order dated 22.03.2017 has granted an order of interim stay and despite the order of this Court, the respondent Police has filed the final report and therefore, the petitioner has also filed a contempt petition in Cont.P(MD)No.613 of 2018 and the same was closed by order dated 27.09.2019 that even before filing CrI.O.P(MD)No.3253 of 2017 before this Court, the final report was filed before the Judicial Magistrate Mudhukulathur, as early as on 28.01.2016, which was subsequently, transferred to the learned Judicial Magistrate, Kadaladi and numbered as C.C.No.10 of 2018.

4.In view of the subsequent developments took place in this case, this criminal original petition is closed, as no further order is required to be passed, with a liberty to the petitioner to challenge the final report pending against him in C.C.No.81 of 2019 on the file of the Judicial Magistrate, Kadaladi, if he is so advised and consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS )

To

1.The Inspector of Police,  
Kadaladi Police Circle, Kadaladi.

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

**CrI.O.P. (MD)No.3253 of 2017**  
**02.12.2019**

**dsk**

AE/ (02.01.2020) 2P 3C